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MOVEMENT IN TEXAS

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A BRIEF HISTORY

OF THE

**UNION LABOR LEGISLATIVE
MOVEMENT IN TEXAS**

**COMPILED BY
T. P. O'ROURKE**

**BY INSTRUCTION AND UNDER THE
SUPERVISION OF THE**

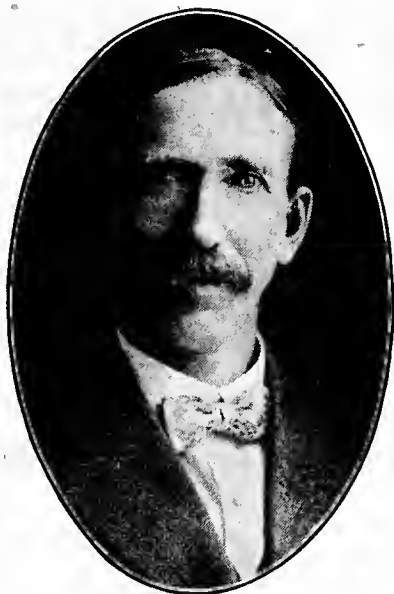
JOINT LABOR LEGISLATIVE BOARD

APRIL 15th, 1909



PRICE TWENTY-FIVE CENTS





T. P. O'ROURKE

SECRETARY AND TREASURER LEGISLATIVE BOARD BROTHERHOOD
OF LOCOMOTIVE ENGINEERS OF TEXAS

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T. P. O'ROURKE.

A sincere regret, as well as an apology for the omission from the first edition of this important history of this brief biography is offered here, the reason for which was purely an oversight of the publishers. T. P. O'Rourke, the author, is one of the best and the most favorably known men connected with the labor movement in the South, and especially in the legislative branch. He is loved and admired by all union labor, and his work has proven him to be entirely and absolutely unselfish in all things which bring the greatest good to the greatest number. Though broken in health, his mind is as active and his heart as sympathetic for the true ideals of the working people as when in the prime of life; just as aggressive, just as fearless, just as kind and solicitous for mankind. And when upon the scroll of time another chapter of the Union Labor Legislative history in Texas shall have been recorded, his name will brighten its pages and his achievements enthuse the minds and lighten the hearts of those who may attempt to follow his example. A strong writer, an effective worker, a Christian gentleman and truly one of God's noblemen.

C. F. GOODRIDGE.

Preface.

At the Joint Convention of all the State Legislative Boards held in the city of Fort Worth, April 17, 1908, consisting of the duly authorized delegates of the State Federation of Labor, Order of Railway Conductors, Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Brotherhood of Railroad Trainmen and Brotherhood of Railway Clerks, a resolution was unanimously adopted instructing the writer to compile a brief history of the Union Labor Legislative Movement in Texas under the supervision and at the expense of the Joint Board. The object was to leave a record for those who come after the men now actively engaged in it of work actually done and results gained up to the present time. By putting it in condensed and convenient form it was hoped to make it the vehicle for conveying information to the rank and file of the wage-workers of the State, the majority of whom seldom see the reports of the Joint Board and have but a very vague idea of what is being accomplished by that body.

Besides, men now leaders in movement have confused ideas of its origin and early work, which is pardonable, as the pioneers left few records that are available and seldom made any kind of a report of what they had done. By getting information from men still living who were identified with the first formation and work of the legislative boards we are able to give a pretty straight story which we hope will clear up all misunderstanding.

Knowledge of the perfection of our organization and its success has traveled beyond the borders of Texas inspiring organized wage-earners in other States to follow our example and copy our method of doing business. Encouraged by this it is hoped that by circulating this history in those States where no organized legislative movement now exists it might stimulate the union men therein to form active legislative boards.

Conscious of his limitations the writer has misgivings of his ability to make this little history as interesting and attractive as its promoters expected and regrets that some one more compe-

tent was not selected for the task. He has done the best he could, and, while his facts may not be clothed in glowing rhetoric he has labored earnestly to make them accurate.

Identified with the legislative movement the past fifteen years, secretary-treasurer of the B. of L. E. State Legislative Board ten years, delegate or visitor to every important convention or meeting held in this State since 1894, active in trying to induce the railway brotherhoods and State Federation of Labor to organize legislative boards and co-operate in a Joint Board, has given the writer opportunities to become familiar with the inside history of the legislative movement, which can form the only reasonable excuse for his selection to write it as he makes no claim whatever to literary ability.

The writer is under obligations to the grand officers of the railway brotherhoods for information kindly furnished, also to F. N. Graves, secretary of the State Federation of Labor, Joseph S. Myers of the B. of L. F. & E., who furnished invaluable data; to E. P. Curtis of the O. R. C., and last, but not least, W. H. Young of the B. of L. E., the parent of the first legislative movement.

T. P. O'ROURKE,

Smithville, Texas, March 15th, 1909.

Introduction.

Systems, methods, thought, prejudices, philosophy, environment are constantly changing.

The old gives way to the new. The new of yesterday is old today. Tomorrow, the things we cherish and hold sacred today, will be cast aside and forgotten in the enjoyment of newer and better things.—This is progress—civilization.

The best and noblest in man, never satisfied with what *IS* but ever toiling upward to attain that which *IS TO BE*.

As the race advances onward and upward from stage to stage of progression a few inspired, far-seeing ones, lead and blaze the way. The multitude plods on behind—ever shifting, changing places, struggling for position.

In this grand procession of progress and civilization organized labor asks to have the wage earners assigned their true position, to be given that place in the line their relative importance justly entitles them to, to have their rights recognized and granted, their legitimate needs satisfied, and their aspirations accorded a fair and free field for development.

Organizations of labor, generally composed of the best and most intelligent—the cream of the wage-workers—being made up of human units, are subject to and controlled by the same laws of progress that apply to the race. They can not stand still and live. If they try to they stagnate, rot and perish, or are run over and crushed out of existence by the competition of the progressive. The conditions under which their members work and their general environment are constantly changing and they have to adjust themselves to meet these changes or go out of business.

Hence policies once held sacred by organizations of labor have from time to time been modified or discarded and new ones adopted to meet new conditions.

This is particularly true of their changing attitude toward entering the arena of politics and permitting the discussion of legislative matters in their lodge rooms. Not many years ago no

subject, with the exception of religion, was so rigorously excluded. Even the discussion of legislative matters, the effect on their interests for good or evil of laws enacted or proposed, was not permitted, lest such discussions might lead to politics, and politics spelled discord, disruption. This rigid exclusion of politics was, no doubt, at one time necessary and wise. Following the civil war partisan feeling was deep rooted and bitter. The men who took part in that titanic struggle or who lived in this country during its continuance considered loyalty to party secondary only to loyalty to God. To permit the injection of any subject having a political complexion among a body of such men, composed of the adherents of opposite political parties, would be about equivalent to tossing a lighted torch into a powder magazine.

But those men have passed away, another generation has assumed control; with newer and more liberal ideas and broader outlook they have adjusted their organizations to meet new issues and changed conditions and are taking an active and intelligent interest in political and legislative matters affecting labor.

Within the last twenty years the railway brotherhoods have adopted laws providing for State legislative boards, for several years they have maintained a representative at Washington to look after their joint interests; city crafts, miners' unions and the State Federations of Labor in many States have taken up legislative work and this year, 1908, the American Federation of Labor has entered the arena of politics with a vim and energy which gives promise of great deeds.

'Tis true that the forces of labor have not yet been able to act unitedly nor even harmoniously in politics, which is to be regretted, yet the fact that they have taken up this work at all, if scatteringly and in a desultory manner, is of itself encouraging. We can trust to time and experience to bring unity and harmony.

This change of policy was not sudden or revolutionary, but the slow and gradual result of persistent agitation on the part of clear headed and far-seeing men within the organizations and the advice of sincere friends on the outside.

Those men saw that, because of the indifference of organized labor to political and legislative matters, labor interests were ignored or sadly neglected by law-making bodies, while corporate

interests were being industriously safeguarded and that something had to be done or labor would be hemmed in and bound helpless by statutory law and court decisions. They realized that by shutting out discussion of political and legislative subjects the organizations were depriving their members of the safest and best means of educating themselves on matters of vital importance to them and that by letting the individual member go to the polls without advice or instruction the majority fell easy prey to swindling politicians who used their votes to elect the enemies of labor to office. Union men were antagonizing union men at the ballot box, their voting strength frittered away in the sham strife of parties which under no circumstances could bring any beneficial results to labor. When those "far-seeing ones" first advocated a change of policy they met vigorous opposition, often bitter and vindictive; they were abused and maligned, accused of trying to drag labor into the mire of politics for the purpose of destroying its organization. This opposition, while growing weak and faint, has not wholly ceased as we still have many well meaning men in the ranks, and a few in high official positions, who think it a mistake, this too despite the fact that the legislative program has become a fixed policy and that the work has been going on long enough to demonstrate that it can be successfully conducted without danger of disrupting the organizations engaged in it. The opposition contends that in taking up legislative work organized labor is going outside its legitimate field, viz.: the adjustment of wages and making of contracts with employers defining rights, seniority, hours, conditions of service, etc.

This contention will bear analysis. True the adjustment of wages and making of contracts is a work of the first importance that can not be neglected and should command the best energy and intelligent thought of every labor organization and no true union man would do aught to hinder it. But contracts and wage schedules are of necessity limited to one class of men engaged in a common employment in the service of a single employer, whether corporation or individual. They cannot be made of sufficient scope and width to cover every emergency and regulate all the grievances of labor. For instance, no contract made with an employer will wipe out the old doctrine of fellow servant and assumed risk from national juris-

prudence, provide for safety appliances on cars and locomotives, provide for the inspection of mines and factories and compel the adoption of safe and sanitary surroundings for those employed in them, that will prohibit child labor or prevent the attachment of wages and the homestead for debt. Such matters as these are of nation-wide importance, affecting alike all branches of labor, and can be reached only by legislation. In this broad field organized labor finds work to do of just as much importance and equally as necessary as the regulation of wages. Instead of being a hindrance to, what we might call for convenience, the industrial work of labor organizations—regulating wages, etc., the legislative movement is of great assistance since it tends to wipe out laws that give undue advantage to the employer, check the use and abuse of injunctions, clears the field of all legal restrictions and obstructions and gives the industrial program a free course.

That the legislative movement will find ample employment in the field of industrialism is evidenced by reports furnished us by the Inter-State Commerce Commission, the Department of Labor and a few State Commissioners of Labor, of the thousands who are killed and maimed annually on the railroads, in the mines, factories, workshops and other places where men labor, that could be saved, or their numbers materially reduced by the adoption of proper precautions. These reports are too voluminous to quote in a work of this nature. To illustrate, however, we quote a few extracts from a recent article by Waldemar Kaempffert:

“If fighting were as deadly as making matches, riding in a locomotive cab, or riveting a girder in a truss two hundred feet in the air, swords would be beaten into plowshares and war abolished. * * * The recent Asiatic conflict cost in dead and wounded, Japanese and Russians, a bloody total of 333,786. Yet in this country a struggle is raging which the great public never sees, but which outdoes the Russian-Japanese war in blood-letting. Add some two hundred thousand dead and wounded to the three hundred thousand odd casualties which the Russian and Japanese armies were able to inflict on each other, with the aid of weapons especially designed for swift and sure death-dealing, and you have the awful price paid by our railroads, mines, factories and handicrafts in

order that we may travel quickly and live comfortably. One man out of every hundred and fifty is marked to lose an arm or leg, to sustain greater or less injury, or to die. A wage-earner toils constantly in the shadow of death. * * * Our industrial system as at present conducted sends a man every minute to the undertaker or the surgeon. * * * The shuddering total of five hundred thousand casualties for an average industrial year fails to reveal the true horror of the fight for civilization and progress. * * * The shame of it all lies in the admission that much of this Slaughter is not only unnecessary but a distinct economic loss. * * * From reports furnished the Inter-State Commerce Commission by the railroads for the year ending June 30, 1907, 5000 persons were killed and 76,286 injured by them. * * * In the average year 12,000 men will either die or come to harm in the iron, gold, silver, lead and coal mines and in the quarries of the United States. * * * One hundred thousand are yearly mangled in the mills. * * * It has been estimated that ninety per cent of the deaths occurring among bridge and structural iron workers are due to accident. * * * Let it not be imagined that this statistical necrology includes all the victims of our industrial Juggernaut. Disease contracted in an occupation probably wreaks as much havoc as cutting machinery. Not even a rough guess can be ventured, so meager is the information available."

Here in Texas the policy of our Joint Labor Legislative Board is not to limit its efforts to securing safety appliances, the inspection and regulation of mines and workshops and such like, but, imbued with that same spirit which animated the lowly Carpenter of Nazareth when He delivered His message of peace and love from that nameless mound by the shores of Galilee, it will take up and push forward any sane humanitarian measure intended to lessen the burdens of the oppressed or to elevate humanity, such as the abolition of child labor, compulsory education, the abolition of the lease system for convicts, also such measures as tend to improve and perfect our system of government, as for instance the secret ballot, the initiative and referendum, the election of judges and United States Senators by popular vote and other reforms.

It is a principle of the Joint Board to be absolutely honest and fair in all its dealings, that, while seeking to secure what is fair

and just to labor, it has no desire to injure any person or interest. Its mission is to endeavor to eradicate existing evils, provide for the protection and safety of wage earners while engaged in their daily avocations and try to have such laws enacted as will place them on an absolute equality with all other citizens before the courts, a privilege they do not now enjoy. If, in doing these things, it comes in conflict with interests that have been profiting by special privileges, wrong and neglect, it should not be condemned and accused of trying to injure employers of labor and ruin their business.

Sane union men never wish to injure their employers or hamper the business from which they derive their living, on the contrary they are always anxious to have them succeed and prosper in order that their employment may be permanent and fairly compensated.

Capital is entitled to fair and just treatment under the law and should be given sufficient freedom of action to enable it to earn a reasonable profit, but, as all corporations are created by law, having certain powers conferred on them by the State to transact business, they should be regulated by law and subject to its limitations. When corporations try to evade or violate the law they have no right to expect or require their employes to assist them in doing it, neither do we think it right that when there is a clash between railway corporations and the people, or public officials, their employes should be pushed forward to take part in the conflict. It is not fair to accuse employes of disloyalty to their employers when they refuse to be used as a buffer in such contingencies. They do not hire out for that purpose and it is not specified or implied in their agreements, or contracts, that such service will be required. Organized labor does not object to co-operating with employers in legislative matters for the general good, provided the benefits to be derived therefrom are reciprocal and mutual. If employes co-operate with employers in trying to maintain rates and prices and to prevent too drastic and rigid regulations by the State, the employers should reciprocate and assist the employes in abolishing the old common law doctrines of the fellow servant, assumed risk and other musty relics of the past and in securing safety appliances and sanitary conditions to labor under. It is a poor rule that does not work both ways. Corporations would get better results, more considerate treat-

ment, save money now paid out to high-priced attorneys and lobbyists and have the good will and unstinted support of their employes in all their honest undertakings if they would cease their policy of blind obstruction to every sane and reasonable measure offered for the safety and protection of labor. April 15, 1908, Judge N. A. Steadman, attorney of the 'General Managers' Association of Texas, addressed the railroad delegates to the legislative convention then in session at Fort Worth and said it was the desire of the General Managers to establish harmonious relations with the legislative boards and to work with them for mutual advantage. Very good, and the legislative boards have expressed willingness to comply provided the partnership is not all one-sided. An arrangement of this kind would make the work of the legislative boards much easier as, heretofore, their hardest task has been to overcome the opposition of railroad attorneys, besides, there are some matters that could be adjusted by mutual agreement between the employes and the management and kept out of the Legislature.

Some of our brothers are inclined to take rather a pessimistic view of the political situation as a result of the late campaign and are fearful that the political program of organized labor in the United States will prove disastrous. They are discouraged because all branches of organized labor did not act in harmony and vote unitedly. There is no cause for discouragement. It must be remembered that this is the first general effort to induce labor to shake off partisan shackles and vote independently. There has not been sufficient time for all to divest themselves of their old partisan prejudices and predilections and rise to the altitude of independent citizenship. The campaign was of vast benefit from an educational standpoint. The strife and turmoil and contention was but the leaven working through the mass. In time all will settle to a calm cohesive and harmonious entity as united in politics as now in industrial matters.

Meantime, patience. It has been said that: "Three enemies of organized labor infest the ranks of workingmen, the nonunion man, the union man who resorts to violence and the voter who never scratches his party's ticket. The last is the greatest menace both to labor and the public."

The same authority: "The political parties are understood by the educated classes who vote independently but the poor

workingman is still hoodwinked by the puerile cry of party loyalty."

Labor must learn to be self-reliant and independent in politics if it is to command respect. It must cease to depend supinely on parties and politicians, who "keep the word of promise to the ear, but break it to the hope," for remedial legislation and look within itself for power necessary to rectify the evils it complains of.

"God helps those who help themselves;" labor has the power of numbers but is not yet sufficiently educated to sever partisan ties and unite on a political program based on enlightened class interest.

The late Jay Gould, then principal owner of the Erie railroad, once told a Congressional Committee that in a Democratic State he was a Democrat, in a Republican State he was a Republican, but he was always an Erie man. Union labor might grasp and assimilate this idea and carry its union principles with it to the ballot box.

Texas, perhaps, more than any other State in the Union shows all branches of organized labor and the Farmer's Union united on a political program and working harmoniously together for the general welfare. What is practised in Texas is possible everywhere. It strikes one as absurd to say that sane men, with ordinary common sense and average intelligence can not co-operate and work harmoniously together for a common purpose.

Try it, brothers, try it in every State in the Union.

As a fitting finale to this introduction extracts from a speech delivered by the Hon. Tom Fitch, Attorney General of Nevada, at a convention of the Brotherhood of Locomotive Firemen, held in San Francisco, September, 1890, are quoted:

"* * * Why is it that jurisprudence is about the only science which fails to keep pace with the brilliant and advancing procession of progress in all other ways? In theology, total depravity and infant damnation have been laid aside, along with the legend of Jonah's sojourn in the whale's interior, and the new philosophies—the result of modern thought and ancient cult combined—have stricken the shackles from the onward feet of the seekers after truth.

"In medicine the lancet, the blister and the black draught are no longer the ruling trinity; the fever stricken patient no

longer cries in vain for water, and anesthetics have almost banished pain from among the ills of life. But when we approach the laws the entire membership of the legal profession, from the most venerable judge to the latest pin-feathered chicken of the schools, cries out: 'Do not disturb the venerable dust of innumerable ages.'

"I am not especially given to iconoclasm, but I can see no greater reason for preserving the errors of by-gone ages in law than for insisting upon a literal six days' creation in theology, or for adhering to bluemass and brimstone in medicine.

"The common law doctrine which relieves the employer from responsibility for injuries which his employe may sustain through the negligence of a fellow-workman has been upheld, and strengthened, and enlarged and construed by the courts of England and America in the interest of employers, until it has grown into a monstrous and apparently impregnable fortress, from behind which wealth can defy the claims of the workers.

"There is doubtless a special and extraordinary risk incurred by railroad employes, and therefore greater necessity for protective legislation in their behalf, but the principle underlying the reform I advocate will extend with equal logic and equal force to all trades and avocations, and the true rule should be that an employe may recover from his employer in any case where he might recover if he were not an employe. If an elevator in a dry goods house falls through the fault of the engineer, why should not the elevator boy recover damages as well as the passengers in the elevator? If it falls through the unskillfulness of the elevator boy, why should not the injured clerk recover as well as the injured customer?

"* * * The rule that the servant can not recover from the master for injuries inflicted through the negligence of a fellow-servant is as old as the English common law, and it is old enough to die, for it has survived all the conditions which gave it birth.

"It originated in a system of society where the terms 'master and servant' were almost equivalent to the words 'master and slave,' where the employer and the employed had in theory both rights and duties, but where in practice the servant usually had all of the duties and the master all of the rights. It is a rule that was established before railroads were built, before the use of

steam or electricity was known, before great manufacturing establishments existed.

“Elections are approaching in many States. If a committee from your order, co-operating with committees from other organizations shall demand of legislative candidates public pledges of support to such a law there is little question but such pledges would be given. At least it will be quite your privilege to allow such candidates as refuse pledges to obtain their election—if they obtain it at all—without the help of your votes. You have in your ballots an invincible weapon. Do not surrender that weapon to boss or caucus, but use it for the defense of your rights.

“The relations between capitalists and laborers are happily growing toward just and peaceful solution, and it is in broader and stronger unionism of each trade, rather than in general amalgamation of all trades, that labor will find its greatest strength.

“Individual economy and industry will, in this country sooner than in any other, bring independence to the laborer, for the margin between earning and eating is larger here than elsewhere, and in my judgment the best plan of labor organization will be for each trade to determine for itself what conditions will be just to its members, just to its employers and just to consumers, and then governing itself by enlightened self-interest within lines bounded by justice and moderation, insist through lawful methods upon its rights.

“Society surges with the throes of a new life for the worker, and upon the horizon of hope a pencil line of light will soon begin to glow. Away and away beyond the Eastern horizon, across stormy seas, across forests and plains, beyond the ruins of empires, and eastward still until the globe is girdled to the shores of the western sea, everywhere the night of selfishness and greed and despotism has for ages been resting in close weight upon the nations. In the far north, under the midnight suns of Russia, manhood dares not utter the truth which the Spirit of God whispers to his ears, and women shriek and sob under the scourge. Upon the continent of Europe drill and discipline, discipline and drill, and the labor of preparation for death-dealing to humanity, withdraw from productive labor and change into pauper ruffians the flower of its manhood. Africa is still in the jungle of ignorance and superstition, and in Asia the living, trampled under the feet of caste, and faint with the exactions of both native

and alien rule, look forward with hope only to the deliverance of death.

“Only here under the flag of forty stars and under the banner of the Canadian Dominion does the toiler begin to ask why he must gather his rags closer lest he jostle the silken garment his fingers have fashioned? Why he must offend his hunger with the odor of banquets which he prepared but must not taste? Why he must walk weary and shelterless in the shadow of palaces which he built but may not enter? The worker has begun to question; he will soon begin to act. He will not supplicate for his rights, but he will take them. Not in wrath, not in injustice, but in lawful and manly ways will he take them. He hears the cry of peoples weary of centuries of error, centuries of wrong, centuries of toil and tears and martyrdom, and he knows that the free toilers of a free land will heed and answer the cry, for labor is here, sovereign; it is the prophet, priest and king; it is the creator and conservator of all wealth, all government and all civilization.

“Labor rends the earth and hoists the somber ore and seethes it in baths of fire and hammers and rolls and tempers into glittering blade and ponderous rail. Labor gathers the fleeces, whitens them in steaming vats, and with humming spindle and shifting shuttle transforms them into a thousand articles of use and beauty. Labor bids the green-plumed forest monarch fall low upon the earth, and seizes his huge form and sends it screaming under the gang-saw, until the forest is changed into material for homes. Labor smites at the adamantine doors of the earth's treasure chambers and bids them roll back upon their hinges and reveal their shining secrets.

“With hand on throttle-valve and face red with the glow of the furnace, Labor feeds and guides the black cavalry of commerce as with steam-flecked flanks they thunder up the mountain side or scream across the plain. On the foam-crested seas, in golden harvest fields, amid the din of factories and the roar of forges, everywhere it is the dew of toil alone that nurture a nation from poverty to affluence.

“And shall not the toilers come to their own? Shall not crowns and castes be abased before them, and oppression and injustice and greed lose their power? Who shall doubt it? When amid the howling storm the mariner, sailing over tropic seas,

waits for relief from his weary watch he turns his eyes toward the Southern Cross burning luridly above the tempest-vexed ocean, and as the midnight approaches the Southern Cross begins to ben, the whirling worlds change their places, with starry finger-points the Almighty marks the passage of time upon the dial of the universe, and though no bell may beat the glad tidings, the lookout knows that the midnight is well nigh past, and relief and rest are close at hand.

Let labor everywhere take heart of hope, for the cross is bending, the midnight is passing and 'joy cometh with the morning.' "

“We stand in the light of a dawning day,
With its glory creation flushing;
And the life-currents up from the pris'ning clay
Through the world's great heart are rushing.
While from peak to peak of the Spirit Land
A voice unto voice is calling:
'The Night is over, the Day is at hand,
And the fetters of earth are falling.' ”

History of the Union Labor Legislative Movement in Texas.

CHAPTER I.

It can be safely asserted that the Union Labor Legislative Movement in Texas, and by this is meant a continuous uniform organized movement, had its beginning in the formation of the State Legislative Board of the Brotherhood of Locomotive Engineers, which was first organized at Austin, February 5, 1889.

The Grand International Division of the B. of L. E. in convention at Richmond, Va., 1888, adopted a set of rules providing for the organization and support of State Legislative Boards and defining their powers and duties. The rules provided that if the subdivisions located in a State decided by majority vote an active Legislative Board should be formed. Having complied with the law and the necessary majority obtained, W. H. Young, then chief engineer of Division 307, located at Taylor, and the nearest to Austin, issued a call for the duly elected delegates to meet at the Avenue Hotel in the latter city February 5, 1889.

Out of the fourteen divisions then in the State but six sent delegates. These were Sam Millican Division 139; Sam Grant Division 187; Milt Goodrich Division 194; W. H. Craine Division 206; F. S. Brooks Division 242; W. H. Young Division 307. Organization was perfected by the election of W. H. Young, chairman and F. S. Brooks, secretary.

The Legislature had been in session nearly thirty days when this board was formed and it got in the field a little too late for effective work.

A committee of three was appointed to prepare bills for presentation to the Legislature. They drafted a Fellow Servant Bill and an Anti-Blacklist Bill which were approved by the Board and introduced into the House and Senate. Learning that a member of the House had a bill he was about to introduce providing for a color blind test for railway employes the board called on him and induced him not to present it. As less than

one-half the divisions in the State were represented at this meeting and, as the Board was yet an untried experiment, the members present felt a delicacy in incurring too much expense, because of the discouraging effect it might have on the future of the Board and decided, on the evening of the 7th to send three of the delegates home.

Leaving their bills in the hands of professed friends in the House and Senate the others went home Saturday evening, the 9th. Little consideration was given their measures after the Board had left: they never came to a vote.

This Board was in session but five days and got nothing in the shape of legislation, yet it has earned our gratitude for laying the foundation of the present magnificent machinery for conducting the legislative business of the organized wage earners of the State. They are entitled to appreciation and honor as the pioneers of the movement and though their first effort was timid and barren of immediate results it was a step in advance into a new and untried field of endeavor where the application of more energetic and comprehensive methods have brought such grand returns.



W. H. ("CANNONBALL") YOUNG
First Chairman B. of L. E. Legislative Board.

The second convention of the B. of L. E. Legislative Board was held in Galveston, December 29, 1890. Twelve divisions were represented by delegates. W. H. Young was re-elected chairman and F. S. Brooks, secretary. It was decided to have a committee of three represent the Board at Austin and W. H. Young of Division 307; W. W. Winfield of Division 219, and J. S. Baker of Division 194 were chosen. Draft of a Fellow Servant Bill prepared by the law firm of Wheeler and Rhodes of Galveston, was

debated and referred to the legislative committee. Learning that a bill to license locomotive engineers would be presented to the Twenty-second Legislature the Board instructed the Legislative Committee to use their influence to defeat it and if found impossible to do so to try to have introduced as a substitute a bill prepared by the Board.

No record has been left us of the work done by this Legislative Committee, but the writer has been informed by its Chairman, W. H. Young, that they succeeded in having their Fellow Servant Bill passed, and, with the assistance of some conductors, who brought the matter forward, had a law for the proper bonding of conductors, agents and others handling company money enacted also.

The passage of the Fellow Servant Law was contested bitterly by the railway corporations of the State, whose attorneys and some officials used every means at their disposal, fair or foul, to defeat it. Members of the B. L. E. and other organizations were brought to Austin to testify before committees of the House and Senate that the railroad employes of Texas did not want the law, were opposed to its passage and that the Legislative Board did not represent the engineers and other employes in this matter.

The Board was convened in third Biennial session in Fort Worth, December 21, 1892, eleven of the seventeen divisions then in the State being represented by delegates. J. G. West of Division 177, Denison, was elected Chairman and W. H. Craine of Division 206, Temple, was elected Secretary-Treasurer. It was decided to have the Chairman and Secretary represent the Board at Austin and they were instructed to endeavor to have a law passed prohibiting the employment of foreign detective agencies in this State; to procure a copy of the Australian Arbitration Act and, if found satisfactory, to have a bill of a similar nature drafted and introduced; to oppose the passage of a license law for locomotive engineers.

As the time of the Twenty-third Legislature was mainly consumed in a trial of the Land Commission, labor measures were given hasty and superficial consideration. Still, the Board succeeded in having a Fellow Servant Law passed to supercede the law of 1891 in which the courts had found numerous defects; had the bill prohibiting the employment of foreign detective agen-

cies, known as the "Anti-Pinkerton Bill," enacted and were instrumental in having the first Monday in September (Labor Day) made a legal holiday.

Up to this time the Board had issued no formal report to the divisions in the State of the work being done at Austin by its representatives, in consequence of which considerable dissatisfaction was manifested, interest began to wane, assessments were not paid promptly, if at all, and the Board found itself seriously hampered for want of money.

Because of these conditions the fourth biennial session of the Board, which met in San Antonio, November 21, 1894, was poorly attended, but seven delegates presenting credentials. The Board was in debt and several divisions delinquent for legislative assessments. The prospect was so discouraging that a few suggested the dissolution of the Board. Had their advice been heeded, the labor legislative movement would have received a serious set-back and it is doubtful if we would now have such a magnificent and perfect organization for conducting legislative business. It was a critical period.

B. A. Pickren of division 197, San Antonio, was elected Chairman, and J. T. Sutton of Division 212, Big Springs, elected Secretary.

The time of the session was consumed principally in devising ways and means to overcome the financial difficulties and revive the interest of divisions in legislative work. Little time was given to the consideration of proposed legislation. The Chairman and Secretary were instructed to work for the passage of an Arbitration Bill; an Anti-Blacklist Bill and "any other measure they think for the good of the brotherhood." The members determined to continue the Board as an active body; levied assessments to meet deficiencies and sent out circulars to divisions urging interest and support.

Prior to the convening of the Twenty-fourth Legislature, B. A. Pickren asked his employing company, the Southern Pacific, for a leave of absence to go to Austin to perform the duties assigned him by the Legislative Board and was promptly told that he could not get a leave of absence for that purpose, but if he wished to quit, the company would gladly give him his time. The alternate Chairman, J. W. Nelson, of Division 445, Paris, was called on to act instead of Mr. Pickren.

Acting Chairman Nelson and Secretary Sutton have left us a very comprehensive and detailed report of all they did and tried to do while in Austin, together with their views on several matters of more or less importance. This was the first formal report issued by the Board to the divisions in the State and it had a good effect, attracting attention in and out of the brotherhood.

They prepared and had introduced into the House and Senate an Arbitration Bill, an Engineers' Qualification Bill and an Anti-Blacklist Bill. The Arbitration Bill passed and is still the law; the Qualification Bill was defeated in the Senate; the Anti-Blacklist Bill and a bill to regulate the hours of rest for railway employes, introduced by a representative from Bexar, and supported by the Board, died on the Speaker's table.

They supported an amendment to the general charter laws of the State permitting trade unions to take out charters and protecting their labels, trade marks, emblems, etc. Supported an amendment to the Anti-Trust law exempting labor organizations from its provisions and which repealed the pernicious conspiracy law enacted in 1878. Supported an amendment to the Mechanics' Lien law aimed to facilitate the collection of liens and make the law more effective generally. All three amendments passed. They successfully opposed an amendment to the Bond Law, intended to destroy its protective features; a pernicious Fellow Servant Bill intended to supercede the law of 1893, with all the best features left out, also a bill for the licensing of locomotive engineers. This committee met with vigorous opposition from the railroad lobby. "The opposition," says their report, "was well organized and strong armed with unlimited means and passes."

As the Arbitration law has reposed upon the statute books in a condition of "inocuous desuetude" from 1895 to the present, its provisions, so far as the writer is informed, having never been invoked to adjust a labor dispute, it is somewhat amusing to look back and review all the fuss its introduction and passage stirred up. All of the leading daily papers in the State, with the exception of the Fort Worth Gazette, "waged a relentless and bitter fight against the bill," reports the Board, "calling it everything but good. The Southern Pacific Railroad sent its general attorney, Holmes Cummings, of California, to Austin to fight the bill." The Galveston and Dallas News denounced the bill,

the "labor lobby" and all its friends in unmeasured terms. It was simply a case of "much ado about nothing."

The Board gives credit to Senator Perry J. Lewis of San Antonio for a large portion of its success at this session.

Taking into consideration the powerful opposition this committee met with and the further fact that workingmen generally throughout the State, at that time, took very little interest in legislative matters and paid scant attention to the records of men they were voting for, while the corporations were alive to their every interest and took an active part in politics, it is surprising they accomplished so much. It speaks well for the majority of members of the Twenty-fourth Legislature and tends to prove that the average legislator is not as corrupt as he is often painted.

Up to this time it had cost the engineers of the State almost \$7000 to sustain a Legislative Board and as every railway employe in the State was benefited by their work they began to consider the advisability of calling on other organizations of men in the service to assist them and share the burdens and responsibility as well as the

rewards. Hence the legislative committee, Nelson and Sutton, attached a supplement to their report recommending that a union meeting of all the organizations in train service be held to consider the necessity of forming a co-operative legislative board. They requested every division in the State to vote on the proposition to name the city where the meeting should be held and to instruct the committee to call the meeting and set the time. All of the divisions voted unanimously in favor of the union meeting and, all but one, designated Fort Worth



E. P. CURTIS

First Chairman of O. R. C. State Legislative Committee in Texas, and Second Chairman of Joint Labor Legislative Board.

as the place of their choice to hold it. The committee set the date for August 15 to 17, 1895, and turned the matter over to the local divisions and lodges of railway organizations at Fort Worth to issue a general call and make all necessary arrangements. The meeting was held on time and was called to order in the opera house at 10 o'clock a. m. of the 16th, in executive session. The 15th was taken up with open exercises, speechmaking by city officials, prominent men, and the grand officers of brotherhoods, who were in attendance. J. E. Archer, O. R. C., Houston, was elected Chairman and D. O. Freeman, O. R. T., Fort Worth, Secretary. The chair appointed committees on credentials, permanent organization, rules, constitution and by-laws, press and resolutions. The committee on credentials reported B. of L. E., 32 delegates; O. R. C., 40; B. of L. F., 29; B. of R. T., 21; O. R. T., 12; several grand officers and visitors from other States.

The committee on permanent organization made a report favoring the organization of a co-operative Legislative Board providing each organization should be allowed to determine for itself who were to represent it on said Board. After considerable discussion, which showed there was a strong sentiment in favor of co-operation for legislative work, the report was adopted.

On behalf of the committee on constitution and by-laws, the writer reported a complete set of rules for the government of "The Railroad Employes' Co-operative Legislative Board of Texas," and after some debate and explanations they were adopted. Rule 2 of this report read "That each organization shall elect its legislative board in accordance with the provisions of their respective constitutions." The B. of L. E. was the only organization represented having a legislative board so elected, hence time had to be given all of the others to comply with the law and legally elect their boards. The question of holding another union meeting was left to a vote of the lodges and divisions in the State, they to report the result of the ballot to the B. of L. E. legislative board, who were requested to take charge of the matter and call a meeting if the vote favored it. The meeting adjourned with much enthusiasm, assurances being given that every organization would be found ready with a legally elected board at the next meeting. Alas, "the best laid plans of mice and men aft gang alee," these assurances were not kept

and the system of co-operation agreed on at Fort Worth was never put in effect.

In compliance with instructions given it, as stated above, the B. of L. E. legislative board, after canvassing the returns from the lodges and divisions and finding the majority favored another union meeting, issued a call for a meeting to be held in San Antonio, September 8, 9 and 10, 1896. This meeting was well attended by representatives of all the railway organizations and their grand officers, numerically and socially it was a grand success, but in so far as accomplishing the purpose for which it was called, the organization of a co-operative legislative board, it proved a sad disappointment inasmuch as the conductors, brakemen and firemen had failed to organize legislative boards and nothing could be done. After adopting resolutions declaring that a necessity existed for united action by the railroad employes of Texas on legislative matters and urging the different organizations to elect legislative boards as soon as possible, the meeting adjourned.

The B. of L. E. Legislative Board held its fifth biennial session in San Antonio, September 7, 1896, one day in advance of the union meeting and elected J. W. Hopper of Division 177, Denison, Chairman, C. B. Ketchum of Division 219, Marshall, Secretary, with instructions to represent the board at Austin. They were given no instructions regarding legislation. Hopper was a mistake; he ran the board in debt and made no report to the divisions during his term of office. After this committee had been in Austin for more than a month and had prepared and introduced several bills, among them a Fellow Servant Bill to take the place of the law passed in 1893, which had been somewhat roughly handled by the courts, Mr. E. P. Curtis presented himself as the legislative representative of the O. R. C., which organization had just formed a legislative board. After a discussion of the situation it was decided that the work could be carried on just as well and with less expense if one of the engineers was sent home. Ketchum went home. From Curtis' report, which will be quoted under the heading of the O. R. C. Legislative Board, we learn what was done by himself and Hopper at the Twenty-fifth Legislature.

The sixth biennial session of the B. of L. E. Legislative Board was held in Houston, September 22-23, 1898, at which sixteen di-

visions were represented. C. C. Walker of Division 500, Cleburne, was elected Chairman and the writer, T. P. O'Rourke, was elected Secretary-Treasurer, to which position he has been re-elected each succeeding session and still holds the office. It was decided to have the Chairman alone represent the board at Austin and he was instructed to act in accord with the representatives of other organizations of employes in the train service when the interests were mutual. A new and better business system was adopted, the Chairman was required to make monthly reports to the Secretary-Treasurer whose duty it is, prescribed by the constitution of the B. of L. E., to issue a report to the divisions. We have had no trouble since then about reports or finances, the close of each term showing a substantial surplus in the Board's treasury.

C. C. Walker was given no instructions about legislation, but on his arrival in Austin he, in conjunction with Mr. E. P. Curtis, legislative representative of the O. R. C., prepared and had introduced into the House and Senate of the Twenty-sixth Legislature an Anti-Blacklist Bill, a Qualification Bill for conductors and engineers, and an Interlocking Railroad Crossings Bill, none of which were passed. They jointly opposed and helped defeat a bill that would have been detrimental to beneficiary insurance associations and an amendment to the Fellow Servant law that would render it worthless to railway employes. Representative Staples of Bastrop presented a bill, which passed both Houses, legalizing trade unions and making it clear that the Anti-Trust law passed at this session did not apply to trade unions, which was earnestly supported by Walker and Curtis. It is still a disputed question as to whether this law was repealed by the Anti-Trust law enacted by the Twenty-eighth Legislature, a more ample account of which will be given later.

Organized Labor representatives did not get much from the Twenty-sixth Legislature for which C. C. Walker gives as a reason in his report: "It is a well known fact that our Legislatures are composed of men inexperienced in railroading, who have no idea of the needs of railroad employes, and when we explain to them what we want and ought to have and partly gain their consent to support our measures, we are then confronted by the corporation lobby with plenty of money in hand, if necessary, to defeat us." One potent argument used by the corpora-

tion lobby is the free distribution of railroad passes and telegraph and telephone franks. They come here prepared, financially to win and it is a common thing to see theater parties composed of the members of both Houses chaperoned by corporation attorneys, banquets and suppers given by the same parties and a nightly occurrence to see them treating with lavish freedom in the four or five prominent saloons of the city."

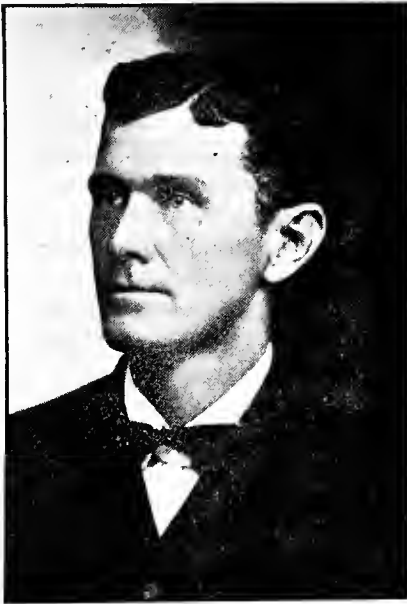
Governor Joseph D. Sayers called a special session of the Twenty-sixth Legislature to convene on January 23, 1900, and, at the request of the labor representatives backed by numerous petitions from train service employes, submitted to the Legislature the proposition of prohibiting the running of double headers. Perhaps a brief account of this double header matter may be of interest to those who are not familiar with it.

THE DOUBLE HEADER CONTROVERSY.

In 1898 and 1899 several railroads in the State, notably the Fort Worth and Denver, the Southern Pacific, the Gulf, Colorado and Santa Fe, and others, made a practice of running their engines in freight service tandem, or "double header," that is two or more engines coupled together pulling one train. This enabled them to dispense with a number of train crews, conductors and brakemen. The practice was very unpopular with all of the train service employes, not alone because it increased their labor without adding to their compensation and caused much "rawhiding" they would not otherwise have to contend with, but it increased the risks also. The train service employes on the G., C. & S. F. R. R. had an agreement with that company limiting and conditioning the running of double headers and the general superintendent issued a bulletin notifying them that the agreement would be abrogated October 12, 1899. He at once began running double headers indiscriminately. The employes protested and the boards of adjustment of the B. L. E., O. R. C., B. L. F. and B. R. T. jointly waited on the management, asking to have the agreement restored and the practice stopped. Their request was not granted and the practice continued. The boards of adjustment then issued a joint circular to all lodges and divisions in the State requesting them to petition the Governor to embody in his call for a special session of the Legislature the enact-

ment of a law to prohibit the running of double headers. C. C. Walker was Chairman of the B. L. E. board of adjustment on the G., C. & S. F. R. R. and, acting for the employes, he wrote the Governor about the matter and received a written promise that it would be submitted. Meantime E. P. Curtis having personally interviewed the Governor and learning his intentions, sent circular letters to all lodges of the B. of L. F. and B. of R. T. in the State urging them to organize legislative boards at once and to meet with the O. R. C. and B. L. E. boards in Austin, January 21,

1900, to take up the double header question. In response to this circular letter seventeen delegates representing B. of R. T. lodges met, organized a legislative board and selected a committee of three, consisting of Wm. McClary, Chairman, James A. Lawson, Secretary and Perry Collier to represent them at the capitol. Geo. L. Wilson and J. J. Cassidy were present to represent the B. of L. F. on the G., C. & S. F. R. R., no State Legislative Board being organized by that order. At a joint meeting held it was agreed to act unitedly. A call was made on the Governor; attorneys were



O. L. KINSLEY
First Chairman B. of L. F. and E. Legis-
lative Board.

consulted and a bill prepared embodying the ideas of the boards, which was introduced into the Senate by Senators Lewis of San Antonio and Odell of Cleburne, and in the House by Representative Smith of Sherman and others. Following a spirited contest the Senate set aside the original bill and passed a substitute giving the State Railway Commission power to investigate and prohibit the running of double headers if in their judgment it was shown to be necessary; the House accepted this substitute which was signed by the Governor and is now the law.

This law carries a proviso that railway employes shall not be held to assume the risk of death or injury when engaged in the operation of trains propelled by two or more engines, which is its only redeeming feature and has resulted in minimizing the practice to almost *nil*. One good result was that the interest created brought the B. of R. T. and B. of L. F. into the legislative movement to stay.

In compliance with the provisions of this law eighteen engineers employed on the G., C. & S. F. R. R. joined in a petition to the Railway Commission complaining against the practice of double heading engines as extra hazardous and asking for an order to prohibit its further continuance. The Commission received the complaint and notified all interested to appear before it March 27, 1900. The employes were represented by Grand Chief Clark of the O. R. C., Assistant Grand Chief Youngson of the B. of L. E., Vice Grand Master Maeir of the B. of L. F., chairmen of the legislative boards, representatives of the men in active service, and Attorneys Hon. Tom Campbell, now Governor, Perry J. Lewis of San Antonio, D. W. Odell, of Cleburne and Cecil Smith of Sherman. On account of important business elsewhere which he could not neglect, Grand Master Morrissey of the B. R. T. was prevented from attending, his organization was represented by local committeemen. At the hearing the employes' attorneys submitted a mass of affidavits and *ex parte* statements from employes and patrons of the railroads tending to prove the practice of double heading dangerous, which were rejected because of the inability of cross-examination. The railroad companies had a multitude of witnesses, many of them actually engaged in train service and running double headers every day, who testified that there was no extra danger attached to the practice, that in fact they felt safer on, and preferred to run, double headers. The employes had very few witnesses who were in active service, the men seemed afraid to come forward and testify, each branch of the service holding back and trying to push their neighbors to the front to face the fire of the enemy's guns. It may be, too, that the committees relied too much on the affidavits and statements and had not made arrangements to get their men before the Commission to testify. Anyhow they lost the case and it may be safely set down that it was lost for want of evidence. The Railway Commission denied

the order asked for and dismissed the case, giving as a reason that "We find from the evidence that there is no more and perhaps less danger to employes on trains propelled by more than one locomotive than on trains propelled by a single engine." This peculiar reasoning sounds like a sarcasm and may have been intended for sarcasm. Note how the Commission says, "We find from the evidence," etc. The preponderance of evidence really leaned that way. To carry out this reasoning of the Commission to its logical conclusion it would follow that if two engines lessened the danger as against one the number might be increased so as to eliminate all danger, which is silly rot.

At the close of the hearing the employes' attorneys positively refused to accept pay for their services and would not even allow their expenses paid, declaring they had been performing a labor of love. They should certainly be remembered with undying gratitude by the railway employes of Texas for this generous act.

Prior to the convening of the Twenty-seventh Legislature the subdivisions of the B. L. E. in the State instructed their legislative board to have no more to do with the double header fight for the reason that many of their members were losing their positions as a result of the railroad companies dispensing with the small engines they had been using for double heading and replacing them with large engines, each capable of doing the work of two, and, in some instances, three of the smaller engines, thereby throwing a number of engineers and firemen out of their jobs. Following these instructions the board remained neutral; the fight was continued by the conductors, brakemen and firemen.

At the Democratic State Convention held in the late summer of 1900, E. P. Curtis, who was on the platform committee, had a plank inserted in the platform demanding the passage of a law absolutely prohibiting the running of double headers. The Twenty-seventh Legislature ignored this platform demand and refused to pass the bill submitted to it by the legislative boards. The bill was again presented to the Twenty-eighth Legislature, but met defeat and the matter rested.

C. C. Walker was re-elected Chairman of the B. of L. E. Legislative Board at its seventh biennial session held in Fort Worth, August 27-28, 1900. In consequence of protests received from several divisions the board concluded to submit the question of a further continuance of the fight on double headers to a vote

of the membership in the State, to be taken through the subdivisions. The result of this ballot negated further action and the Chairman was instructed to have nothing more to do with it. Notwithstanding that no covenant or agreement existed between the organizations at that time that all should pursue the same policy or be in any way bound to defer to each other's wishes, each acting entirely independent and on its own responsibility in everything connected with what it considered for the benefit of its own members, nevertheless when Walker explained the attitude he was instructed to assume in the double header controversy it proved a disappointment to the representatives of the conductors, brakemen and firemen. While they agreed to work together in harmony on other proposed measures in which all were interested, yet as the session of the Twenty-seventh Legislature advanced and the fight on the double header waxed warm and finally became fiercely hot, harmony took flight, the other representatives tried to force Walker into the fight and the relations were strained to the breaking point. The corporation lobby were quick to learn and take advantage of this situation and hastened with devilish activity to widen the rupture. Lies galore were put in circulation and the position of the organizations misrepresented to the Legislature several members of which excused their failure to support or vote for labor measures on the ground that as there was such a deplorable absence of agreement between labor's representatives they could not make up their minds as to what labor really wanted and who voiced its legitimate needs.

This experience should teach a valuable lesson and emphasizes the necessity of labor presenting a united and harmonious front to the Legislature and to the enemies of progress.

Whatever differences we may have, and as intelligent, reasoning human beings we are bound to have differences from time to time, should be thrashed out and settled among ourselves away from the precincts of the capitol and free from the observation and mischievous intermeddling of our "friends, the enemy."

Walker again took up the three bills which failed to pass at the Twenty-sixth Legislature, namely: Anti-Blacklist Bill, Qualification Bill for conductors and engineers, Interlocking Railroad Crossings Bill, and a new bill to amend the Fellow Servant law so as to include all employes engaged on or about cars, locomo-

tives or trains or working on the track, bridges, yards or shops. He supported a bill to prohibit the payment of wages in store orders or merchandise script and a bill to protect laboring men and trade unions.

Three of these bills were passed, the Blacklist Bill, Interlocking Crossings Bill and that prohibiting the payment of wages in script. He opposed two bills which, if passed as introduced would seriously interfere with the conduct of beneficiary insurance business in this State; both were defeated.

After the close of the Twenty-seventh Legislature, Walker resigned as Chairman to accept the position of traveling engineer on the G., C. & S. F. R. R. and the alternate Chairman, R. J. McCool of Division 201, Tyler, assumed the duties of the office. McCool was elected Chairman at the eighth biennial convention of the Board held at Temple, August 25-26, 1902, and he was instructed to work for the passage of bills providing for English speaking night track walkers, electric headlights, derail switches, switch lights and to make invalid all contracts conditioned on employment wherein the individual waives the right to sue for personal injuries. The Chairman and Secretary were instructed to represent the Board at the convention of the State Federation of Labor to be held at Houston, November, 1902, and try to influence that body to provide for a legislative board. Soon after McCool's arrival in Austin in 1903, he became identified with the Joint Labor Legislative Board and dropped all of his proposed bills except the derail and switch lights bill

THE ORDER OF RAILWAY CONDUCTORS.

The Order of Railway Conductors in national convention, 1893, enacted laws providing for the organization and maintenance of State Legislative Boards and, though the matter had been agitated and one or two attempts made, no organization was effected in Texas until February 17, 1897. In the winter of 1896 the proposition to create a Legislative Board was submitted to a vote of the Texas divisions and the majority favoring the proposition the Grand Chief Conductor, E. E. Clark, on February 12, 1897, issued a call for a meeting of the elected delegates, in pur-

suance of which a meeting was held on the first mentioned date at Austin and the organization of a Legislative Board perfected. Twelve divisions were represented by delegates. A. L. Westbrook of Division 88, Ennis, was chosen permanent Chairman and E. P. Curtis of Division 256, Smithville, Secretary. It was unanimously decided to maintain a representative at the State Capitol during the sessions of the Legislature, to remain there the entire time of each session. E. P. Curtis was elected by acclamation, legislative representative of the Board, and instructed to work with the Engineers' Committee in the interest of all bills favorable to railway employes.

On consulting the Engineers' Committee, Mr. Curtis found they had introduced a Fellow Servant Bill, which had already passed the Senate and was pending in the House, and an Anti-Blacklist Bill and together with them he drew up a Qualification Bill for conductors and engineers, and a bill to protect working men in the right of organization and the purposes thereof.

Later Mr. Curtis sought to have a bill passed repealing the law which required passengers boarding trains without tickets to pay four cents a mile to conductors; in this he failed.

Not one of the bills presented by the engineers and conductors to the regular session of the Twenty-fifth Legislature passed. Two bills beneficial to labor, approved and supported by Hopper and Curtis, did pass. One was to extend the benefits of the mechanics' lien law to clerks, accountants, bookkeepers, artisans, craftsmen, factory operatives, servants, quarrymen, farm hands and common laborers. The other declared that the proceeds of the sale of the homestead should not be subject to garnishment within six months after such sale.

The enactment of a competent Fellow Servant law being a Democratic platform demand, Governor Charles A. Culberson, having strongly recommended its passage in his message to the regular session, again submitted it in a very forcible message to the special session, which he called immediately after the adjournment of the regular session.

In the light of present day events and arguments made by corporation attorneys seeking the repeal of the law enacted by this special session extracts from the messages of Governor Culberson furnished us by Curtis in his report, will prove interesting.

“In addition to his desire to have the party pledges redeemed,” Curtis tells us “Governor Culberson was thoroughly convinced of the injustice of the doctrine of fellow servants, and recommended its entire abrogation.”

In his message to the regular session the Governor said:

“More than half a century ago in South Carolina, a railroad company, in order to relieve itself of responsibility for damages, suggested the doctrine of fellow-servants, and it was adopted by the court. It has since become the recognized law of the land except where modified by legislation. Broadly put, it means that a person engaged in service cannot recover damages of his employer for personal injuries, nor his family if death ensues, if the injury resulted from the negligence of a fellow-servant. Believed to be cruel and merciless by many, it has been vigorously attacked in this State, and, though the court felt bound to follow previous decisions, Chief Justice Gaines thus thoroughly exposed the injustice of the rule in an opinion delivered in 1888.”

The Governor quotes the decision of the Chief Justice and continuing, says: “It is not clear from the opinion of the court in the Warner case, but it seems that the Act of 1893, now in force and incorporated in the Revised Statutes would be improved and would authorize the recovery of damages for negligence in cases now denied if the legislative interpretation of the term grade were omitted and the matter remitted to the courts. But the settlement of the question should not be left to a statutory definition of fellow servants. The real purpose of the acts of the Legislature was to overturn the doctrine of



JAS. A. LAWSON

First Chairman B. of R. T. Legislative Board, and First Chairman Joint Labor Legislative Board of Texas.

fellow servants. It is illogical; it is not grounded in any wholesome public policy, and under it thousands of employes and their families have been denied redress for personal injuries or death resulting from corporate negligence. The true remedy, the one which will afford the relief demanded, is to denounce and abrogate the doctrine by express law. It will also do justice to railway employes to compel railroad companies to provide automatic car couplers on all trains, as is done by the Act of Congress, approved March, 1893, applicable to interstate commerce, and guard against accidents and injuries to brakemen in switching by suitable appliances."

To the special session he said: "In my judgment, the doctrine of fellow servants should be abrogated by express law, because it is illogical, indefensible and unwise. * * * Opposition to this policy in the Legislature seems to rest upon the propositions that railway employes take the risk of the negligence of their associates, and that to compel the companies to pay damages for such injuries would increase railroad charges. Neither of these contentions is sound. Persons who engage in the service of railroad companies do not, for the wages contracted for, as frequently insisted, assume the risk of negligence of their fellow servants. The business is extra hazardous, and their compensation is based upon the services rendered and the peril of the employment. It is a common argument of railway companies to insist that the modification or abolition of this doctrine will authorize an increase in freight and passenger charges, because it will increase expenses. It is the familiar corporate reasoning against taxation and other liability, audacious because it involves a threat of retaliation and unsound because if pursued to its logical conclusion it will result in absolute relief for the corporations against either liability or taxation. If the basis of this argument were true, legislators should not hesitate to make the change if it be just to the large body of railway employes, regardless of such consequences. But it is untrue. Damages which are the result of negligence of railroad corporations or their agents, are not legitimate operating expenses upon which an increase in rates may be justly predicated, for that in a measure would reward wrong doing."

Speaking of Governor Culberson in his report, Curtis says: "The railway employes of Texas would be ungrateful indeed

if they did not appreciate the services rendered them by this man. In him we have a friend at court, one who has the welfare of labor at heart coupled with the ability to help us when and where we most need a friend. Regardless of the powerful influence which was brought to bear on him on this question, he boldly attacked the doctrine of fellow servants and insisted on legislative action." In the United States Senate Charles A. Culberson has continued to advocate and vote for labor measures. In and out of office he is our friend and should be gratefully remembered.

Of another good friend of labor, he says: "The efforts of Senator Perry J. Lewis in the several Legislatures, of which he was a member, to abrogate the doctrine of fellow servants by statutory law, have been made known to you before. A true typical southern gentleman and orator, a firm friend and an able advocate, he has worked in harmony with the legislative committees of railroad labor organizations for several years, and to him in equal measure with Governor Culberson, is due the credit for our present fellow servant law."

Running through the reports of the various legislative boards, the writer finds record of Perry J. Lewis, during his entire career as a member of several Legislatures, as a consistent friend and champion of labor interests and the uncompromising foe of every proposed measure presented by the enemies of organized labor.

Curtis and Hopper remained in Austin during the special session in the interest of their Fellow Servant bill and had the satisfaction of seeing it passed by good substantial majorities in both Houses.

Expressing his satisfaction after the passage of the bill Governor Culberson said: "A Fellow Servant law has been enacted which gives just protection to railway employes against corporate negligence."

Considering that all that has been said and written about this inhuman doctrine of the fellow servant applies with equal force to all classes of wage workers, as well as to railroad employes, the writer hopes the day is not far distant when this musty relic of the past will be wiped out by proper legislation and the way cleared for persons in every branch of industry or labor to sue for the recovery of damages for personal injur-

ies inflicted through the carelessness, want of skill or negligence of a co-employee. It is his opinion that this could be done, in Texas, without prejudice to the existing law, which benefits railway employes only. The argument that an effort in that direction might imperil the present law is not good for the reason that no Legislature would now dare to take a backward step on this issue. Besides the quality of justice can not be strained to give this privilege to railway employes and deny it to other classes of employes, as a matter of abstract justice it should be extended alike to all.

The writer has no record of the proceedings of the second biennial session of the O. R. C. legislative board, but has learned from other sources that E. P. Curtis was re-elected legislative representative with instructions to do all in his power to secure the repeal of the four-cent train rate law.

At the State Capitol he met C. C. Walker, representing the engineers' legislative board and they worked together during the regular session of the Twenty-sixth Legislature.

In addition to the bills taken up jointly with Walker, viz.: Anti-Blacklist bill; Qualification bill for conductors and engineers; Interlocking Railroad Crossings bill; Curtis had prepared and introduced a bill to repeal the four-cent train rate law and a bill to provide for stationing of brakemen and flagmen on passenger and freight trains, and to have one brakeman for every twenty cars contained in each train. Not one of these bills passed.

With Walker, Curtis succeeded in having a bill regulating fraternal beneficiary insurance associations amended to exempt the railroad organizations. At the request of Ed. A. Mosely, Secretary of the Interstate Commerce Commission, Curtis had introduced a Safety Appliance bill, almost an exact copy of the national law. It failed to pass.

The corporation lobby held the whip hand at the regular session of the Twenty-sixth Legislature and were able to block every move of the labor representatives. Curtis, too, had the same experience in his work the engineers' representatives and those of other organizations have met with and frequently complained of and that is the open and secret opposition of members of their organizations and the general apathy of the great majority. In his report he said: "As was the case two years ago

in the Twenty-fifth Legislature with the Fellow Servant bill, I met strong opposition from members of the order, and regret to say was not supported as I should have been by divisions whose location it seems to me enabled them to command the situation with reference to their legislators.

My experience at two sessions of the Legislature is that too many of our brothers cease to take interest the moment a legislative committee is organized when, in my judgment, they should redouble their efforts to push the machine along after it has been set up and not expect it to move off like an automaton. I trust that at the next session of the Legislature we will have a federated legislative committee, thoroughly organized and equipped, financially and otherwise, for the full and vigorous prosecution of its work."

When the special session of the Twenty-sixth Legislature was convened Curtis, who was salaried chairman of the O. R. C. board of adjustment on the M., K. & T. R. R., was in St. Louis on grievance business and could not get away. Thad. Adams of San Antonio acted in his stead and took an active part in all that was done to secure the passage of the double header bill.

At the hearing of the double header case before the State Railway Commission Curtis represented his organization. Curtis was again elected legislative representative in 1901, but his duties as Chairman of the M., K. & T. demanded so much of his time that for a portion of the regular session of the Twenty-seventh Legislature he could not be in Austin and W. J. Wright of Tyler acted as alternate and worked in conjunction with the representatives of other railway labor organizations in support of the measures approved by them. We have already told what these measures were and the action of the Legislature.

In 1903 Ed. B. Willis of Denton was chosen legislative representative and during his incumbency the Joint Board was formed. He became affiliated with it and the record of his work will be found in their report.

E. P. Curtis was elected legislative representative in 1905 and made Chairman of the Joint Board. As Mr. Curtis has been promoted in his organization and is no longer actively identified with our legislative work, a few remarks about him as a man may not be out of place. E. P. Curtis is a man of more than

the average in ability, of fine appearance and gentlemanly address; he commands respect and attention. Earnest and enthusiastic in the cause of organized labor he was a potent factor in the legislative movement bringing, by his tact and faculty for gaining and holding the friendship of men in high official position, powerful influences to support its measures.

From earliest manhood he has been connected with labor organizations, having been a member of the B. of L. F., B. of R. T., and O. R. C. successively, and has held many positions of trust and usefulness in all of them. He served as chairman of the O. R. C. board of adjustment on the M., K. & T. R. R. for twelve years and was regularly salaried for six. Because of Mr. E. E. Clark, Grand Chief Conductor, resigning to accept a place on the Interstate Commerce Commission, and the advancement of Mr. Garretson to occupy the position of Grand Chief, E. P. Curtis was appointed to the position of Grand Senior Conductor of the O. R. C. of America, September, 1906. At the following convention he was elected to the same position and still holds. He made the race for State Railroad Commissioner in this State twice and, notwithstanding that he was not generally known outside of railway circles and was vigorously opposed by the railway corporations, he was defeated by a very small margin. It was mainly through his efforts that the O. R. C. legislative board was organized and put in good working order and we feel safe in designating him as its "Daddy."

THE BROTHERHOOD OF RAILROAD TRAINMEN.

The Grand Lodge of the Brotherhood of Railroad Trainmen in convention at Galesburg, Ill., 1893, authorized the formation of a legislative board in the State of Ohio, and at the following convention, Boston, Mass., 1895, this idea was written into the law and made general.

Following the union meeting at Fort Worth in 1895, an attempt was made to organize a legislative board in Texas, which resulted in failure and again, after the San Antonio meeting in 1896, on the urgent recommendation of Grand Master P. H. Morrissey, the effort was renewed but without success.

J. A. Lawson of Lodge 52, San Antonio, was an active and enthusiastic factor in trying to get a legislative board organized and, as stated in our account of the double header controversy, had the satisfaction of seeing delegates from seventeen lodges meet in Washington Fire Hall, Austin, January 23, 1900, and perfect an organization. This meeting was called to order by E. S. Overshiser of Ennis, now Secretary of the Board. Permanent organization was effected by the election of William McClary, of Cleburne, chairman; James A. Lawson of San Antonio, Secretary, and Perry Collier of Houston, Treasurer. These three officials were instructed to act as a legislative committee and represent the board at the State Capitol during the special session of the Twenty-sixth Legislature and endeavor, in co-operation with the representatives of other railway organizations, to have a law passed prohibiting the running of double headers. We have already given the result of their joint efforts. This committee made a very intelligent report of its work and of the progress of the Double Header bill in both Houses, giving the vote of members at every stage of its progress. Commenting on the defeat of the bill, their report says: "The railroads were strongly represented at the special session of the Legislature, and wielded an influence we could not overcome."

Responding to a call issued by Grand Master P. H. Morrissey, dated December 4, 1900, delegates from thirteen lodges met at the Driskill Hotel, Austin, January 3, 1901, and organized the second legislative board by electing James A. Lawson of San Antonio, Chairman; J. C. McKenzie of Fort Worth, Secretary, and Ed. H. Hanke of Smithville, Treasurer. These officials were authorized to represent the board at the Capitol and instructed to work for the passage of a double header bill. This session discussed at length the advisability of forming a federated, or joint legislative board and a motion prevailed to instruct the legislative committee to confer with the representatives of sister organizations and endeavor to form a joint board. The legislative committee met the representatives of the O. R. C., B. of L. E., and B. of L. F., and after a thorough canvass of the situation it was agreed to act in concert on all measures approved jointly, the engineers making an exception of the double header bill. The measures taken up and their fate has been stated in the preceding pages.

After the close of the regular session of the Twenty-seventh Legislature the committee reported: "The Blacklist bill and the Interlocking Railroad Crossings bill was the only legislation enacted at this session affecting railway employes. The Double Header bill was fought so vigorously by the railroad lobby that the committee was necessarily compelled to neglect other bills and devote all their time to supporting it. The railroad lobby was the most arrogant during the regular session of any session of the Texas Legislature and wielded an influence we could not overcome."

For the first time in Texas this committee's report contained a complete list of the Senators and Representatives composing the Twenty-seventh Legislature with their addresses, nativity, occupation, county or district represented, together with a synopsis of their legislative records, showing their votes and attitude on labor measures. This report was modeled after a report issued by the union labor legislative boards of Colorado, popularly known as "The Blue Book," because of the color



C. M. RODGERS
The Pioneer in Legislative Work in the
B. of L. F. and E.

of its cover, which was frequently used during campaigns to check the effusive boasting of office seekers who attempted to pose as friends of labor. This report of the B. of R. T. committee created considerable interest and was used extensively in the campaign of 1902 in which twenty-seven members of the Legislature who sought re-election were defeated and some who ran for other offices met the same fate.

The State legislative board being firmly established as a continuous body met in its third session at Austin, January, 1903, and re-elected James A. Lawson Chairman and legislative rep-

representative. On the thirteenth of the same month the Joint Legislative Board was formed and J. A. Lawson was elected its first chairman, an honor conferred in recognition of his efforts to formulate such a board and as a slight reward for his zeal in the cause of organized labor. Lawson served his organization faithfully and was untiring in his efforts to secure legislation tending to promote the best interests of wage earners. He was afterward appointed Safety Appliance Inspector by the Interstate Commerce Commission and is serving in that capacity now.

THE BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN.

Although the Grand Lodge of the Brotherhood of Locomotive Firemen in national convention at Cincinnati, Ohio, September, 1892, adopted laws providing for the formation of State Legislative Boards, it was not until the summer of 1900 that the Texas lodges were able to muster the necessary two-thirds majority to organize. Earnest efforts to organize had been made prior to that time but without success.

After the adjournment of the union meeting at Fort Worth in 1895, an attempt was made, and a few weeks after the union meeting in San Antonio in 1896, while the Grand Lodge was holding a convention at Galveston, the delegates from the Texas lodges got together and organized a temporary legislative board, electing O. L. Kinsley of Yoakum, Chairman. Mr. Kinsley worked hard to organize a B. of L. F. legislative board from the time the subject was first broached and to him and C. M. Rodgers of Cleburne should be given the credit for its final accomplishment. The temporary organization effected at Galveston had to be referred back to the Texas lodges for ratification, unfortunately it failed of the two-thirds majority and was dissolved.

Nothing more was done until 1899, when the double header question became a burning issue. The firemen on the Gulf, Colorado and Santa Fe Railroad rather than see their organization unrepresented at the State Capitol, raised a fund among themselves and sent Geo. L. Wilson of Cleburne to Austin to assist

the representatives of sister organizations. Meantime C. M. Rodgers, general chairman of the B. L. F. Joint Protective Board of the G., C. & S. F. R. R., asked authority from Grand Master Frank P. Sargent to organize a legislative board. The authority was granted and the Grand Master notified the Texas lodges. After a great deal of corresponding and personal solicitation Mr. Rodgers was able to call a sufficient number of delegates together at Fort Worth in August, 1900, to organize a legal legislative board. Geo. L. Wilson of Lodge 449, Cleburne, was elected Chairman and representative at Austin with instructions to work for the passage of a law to absolutely prohibit the running of double headers.. Mr. Wilson took a very active and prominent part in the double header fight, already reviewed, for which he was subsequently dismissed from the service of the G., C. & S. F. R. R., but through the able and persistent efforts of C. M. Rodgers and the Joint Protective Board of that road, was reinstated to the service. Wilson is the first recorded martyr of the legislative movement—the first to sacrifice his job for too earnest activity on behalf of a measure intended to benefit his co-workers.

The second biennial session of the Legislative Board was held in Fort Worth July, 1902, with sixteen delegates present. Jos. S. Myers was elected Chairman and legislative representative, a position to which he has had the honor to be re-elected each succeeding session and still fills with credit to himself and to the material benefit of his organization.

Among the important acts of this session were the adoption of a plan providing for the organization of a joint board; the adoption of resolutions asking for the enactment of a child labor law, for an eight-hour law, commending the action of the State Democratic convention in denouncing the Agricultural College for furnishing its students to take the places of striking machinists, instructing the Chairman to protect the Fellow Servant law, and, if possible, to secure the passage of a law to prohibit the running of double headers.

During Jos. S. Myers' first term the Joint Board was organized and he was elected its Secretary. He is a young man of great promise, with a legally trained mind, thoroughly in earnest in his efforts to serve the best interests of wage earners; well balanced, neither too radical or conservative, but sane and safe.

He has occupied the position of State Librarian the past two years and resigned at the opening of the Thirty-first Legislature to take up the work of the Joint Board.

THE STATE FEDERATION OF LABOR.

Experience having demonstrated the benefits to be derived from legislative action and that the more organizations represented in the work the greater the influence and better the results, the railroad brotherhoods determined, if possible, to draw all organized labor in the State into the movement. At the close of the Legislature, in 1901, a circular letter signed by E. P. Curtis, C. C. Walker, James A. Lawson and Geo. Wilson, was sent to all organizations in the State calling a union meeting in Austin to discuss the proposition to form a co-operative legislative board. The meeting was held in July of the same year and was presided over by C. F. Goodridge of the O. R. C., now Chairman of the Joint Board, with J. A. Lawson of the B. R. T., Secretary. The Austin Trades Council provided the hall and its members took an active part in the proceedings. The attendance was not large, the unions outside of Austin sending very few representatives. A thorough discussion of the proposition was had and resolutions favoring a better understanding and closer relationship between all branches of organized labor adopted, and it was recommended that the labor press of the State give more attention to legislative matters.

This meeting is noteworthy chiefly because it was the first of its kind held in this State wherein the railway brotherhoods and city crafts made a serious effort to get closer together. No co-operative board was formed.

Acting on his own responsibility the writer attended the State Federation of Labor Convention held in Waco January, 1902, where he was cordially received and given the privilege of the floor to explain his mission. He told of the legislative work being carried on by the railway brotherhoods and that, from time to time, while engaged in this work, they had taken up and supported measures which did not affect them, but which might materially affect the welfare of wage earners in other

fields of industry and that this could be done better, perhaps, by committees representing the men directly interested. He urged the formation of a legislative board, but nothing was done. When he reported this visit to the B. of L. E. Legislative Board convention in 1902, his action was approved and a motion prevailed instructing the Chairman and Secretary of the Board to attend the next convention of the State Federation on a similar mission. Accordingly, the writer was on hand at the opening of the convention in Houston, November 17, 1902; on the 18th R. J. McCool arrived and on the 19th E. P. Curtis of the O. R. C., and Jas. A. Lawson of the B. R. T. were present. We were given the freedom of the floor during the entire session and, although some confusion existed at first as to what we wanted, we explained it away and had the satisfaction of witnessing the passage of a resolution providing for the organization and maintenance of a legislative board. F. N. Graves, Secretary of the State Federation of Labor, has furnished the writer with a very clear synopsis of the history of the organization and work of the Federation's legislative board, which he can not improve upon, and takes the liberty of quoting in full.

“Although the matter of activity in legislative work had been frequently discussed, it was not until the Houston meeting in 1902, that a regular legislative committee was elected, with instructions to act in harmony and conjunction with the then existing boards of the railroad orders. This first legislative committee had as its Chairman, Tom Dee of Galveston, then publisher of the Galveston Labor Journal, now practicing dentistry in Houston. Walton Peteet, J. C. Goldstein, F. N. Graves and John R. Spencer formed the rest of the committee. On organizing, the committee decided to send Walton Peteet as its representative on the Joint Board, the chairman not being able to neglect his publishing business for the length of time necessary. At the next convention held in Fort Worth, 1903, Walton Peteet was elected Chairman of the committee with F. N. Graves, John McNeely, Jake Stine, Tom Dee forming the rest of the committee, and Mr. Peteet was again chosen as representative on the Joint Board.

The next convention, 1904, re-elected Peteet Chairman, with F. W. Habel, Tom Dee, Jerry Deems, and John McNeely as the committee.

Denison convention, 1905, Peteet, Chairman, F. W. Habel, G. E. Algaier, John McNeely, H. C. Fuller, Chairman to represent the Board.

Beaumont, 1906, Peteet, Chairman; C. Houghton, John R. Spencer, Joe Amstead, W. C. Bollinger.

At the Austin convention, 1907, the same committee was re-elected except J. W. Parks was substituted for C. Haughton, who was not a delegate.

At the last convention, 1908, the present committee was elected—Peteet, Chairman; A. Harry, Galveston, Ed. Cunningham of Bridgeport, Joe Amstead of Austin, J. W. Parks of Dallas.

Mr. Peteet has been the representative of the committee on the Joint Labor Legislative Board ever since the first formation of the committee, having been elected by acclamation in every instance except the last time at Fort Worth, when he had opposition, but was elected by a good plurality.

The present membership of the Federation is about twelve thousand, composed of every class of trade unionist from every portion of the State. The Federation has sustained an almost unprecedented growth, starting with only twelve unions represented at the first meeting in Cleburne, January 15, 1900, the total membership of which was probably 500.

The laws we have succeeded in obtaining have been in some instances made practically inoperative through technical defects and oversights of enactment, but the results gained are of so magnificent a character that we are encouraged to go on with the work in the same maner as heretofore, believing that in this way we may eventually secure the sum total of the results we are striving for, which as I understand it and believe, is merely the same recognition before the law for the working man as that accorded the employer—"an even break and no special favors asked."

The opening of the year 1903 found the four train service organizations and the State Federation of Labor's representatives at Austin fully equipped and ready for business. Before going into the record of their proceedings we will scan the field already traversed and conclude this chapter with a few comments on the work accomplished and some experiences of the legislative boards.

Glancing over the many measures proposed and passed, we find the majority of them designed to apply to, or affect, railway employes only, while a goodly number apply to those engaged in train service alone. This was not the result of selfish indifference to the needs or welfare of other classes of labor, but rather a condition that arose from circumstances. Naturally, each legislative board, acting independently, tried to do the best it could for those it represented and who alone were bearing the expense of its maintenance, yet, we find, whenever the opportunity presented itself, they did not hesitate to lend a helping hand to others and often supported measures that scarcely touched railway employes, but would benefit workers in other industries.

The measures sought might be collected under three heads. First, those intended to correct abuses and prevent injustice and discrimination; second, those intended to abrogate ancient law doctrines, to remove legal restrictions and court regulations prejudicial to labor and secure to employes the same rights and privileges before the courts enjoyed by other classes of citizens; third, those of a protective or humanitarian character, such as safety appliances, elevating the standard of competency of employes, and prohibiting dangerous practices which frequently result in killing and maiming them. And, while there may still be, as there has been, differences of opinion regarding the wis-



WALTON PETEET

First Legislative Representative Texas
State Federation of Labor and Third
Chairman Joint Labor Legislative Board.

dom and expediency of some of these measures, we cannot question the honesty or sincerity of the committeemen who advocated them and must make allowance for the sentiment of the men back of them whose experiences made them think such measures of great importance.

Perhaps some may think we should have given the text of all measures proposed by the legislative boards so as to make them intelligible to our readers, but when the nature of this work is taken into consideration and that it is intended for distribution among organized workingmen who are, generally, familiar with every subject treated in it so that the mere title of a bill conveys to them a pretty clear idea of its meaning, it will be readily seen that such elaboration is not required. Were this little book intended for the enlightenment of the public, it would be a different matter and much that has been merely referred to should receive more explanation.

While pursuing their work the legislative boards had many and varied experiences and their path was not always lined with roses. They had troubles, plenty; disappointments and discouragements beset them on many occasions; they were made the victims of deception by politicians; abused, threatened, bullied, and, a time or two, persecuted by railroad officials and their attorneys, but the "unkindest cut of all" was the open and secret opposition of members of their own organizations. All have had this experience to a greater or lesser degree and we find it complained of in all of the reports. It was first met with when the original Fellow Servant law was pending in 1891, again in 1893 its evil influence was felt and when in 1897, the existing law was before the Legislature these traitors were busy working for its defeat. When the double header fight was on they were most numerous and "perniciously active," their evidence, given before the State Railway Commission, furnishing grounds for that body to deny the order prohibiting the practice. Be it understood that this has reference to the men who go to the State Capitol to lobby against bills proposed by the legislative boards and to others who stay at home but write letters and send in petitions inspired by their officials—that is, employing officials.

Some of these are influenced to violate their obligation and work against their organization by promise or hope of reward in the shape of promotion to official position in the service of their

employing company and are the most reprehensible, the Judas Iscariots and Benedict Arnolds of the railway world. Others are driven to do this dirty work by fear of the loss of their jobs and are contemptible because they lack manhood. It might be a good idea for the Joint Board to make a list of all such met with at each future session of the Legislature so they may be generally known and scorned and their names handed down in history alongside of Iscariot and Arnold.

As has been mentioned, the white-winged angel of peace did not at all times find a pleasant abiding place among the legislative representatives, the sombre shadow of discord taking its place. While this was deplorable it was inevitable, made so by lack of proper understanding and respect for each other's opinions. However, as this discord proved to them the futility of divided effort and hastened the formation of the Joint Board, we can easily forgive them.

It would be far better to let the subject of contention, if it can not be settled peaceably among themselves, rest in abeyance until a more favorable occasion and, if that occasion never comes, then let it rest forever, rather than endanger the perfect unity and harmony that should exist between them and which has been found so essential to success.

They ought to adopt the words of St. Augustine as their working motto: "In essentials, unity; in nonessentials, liberty; in all things, charity."

Summing up the work of the legislative boards from their first feeble effort in 1889 to the formation of the Joint Board in 1903 and taking into consideration their triumphs, though few, their trials, tribulations and even their quarrels, the total of net gain more than compensates for the expenditure of money and effort and should cause all good union men to be grateful for their existence.

The Joint Labor Legislative Board.

CHAPTER II.

Those who have closely followed the text of our story in the preceding chapter will remember that the sentiment favoring the creation of some sort of a co-operative legislative board first found expression in the report of the B. L. E. legislative committee, Nelson and Sutton, in 1895. The union meeting at Fort Worth the same year drafted plans and by-laws for a co-operative board, and it was again discussed at the union meeting in San Antonio, 1896. Subsequently the reports of the legislative representatives contained appeals urging a closer working relationship between the different organizations engaged in legislative work and the B. of L. F. and B. of R. T. legislative boards in convention adopted plans for drawing all into closer bonds of unity. The union meeting held in Austin in 1901, adopted resolutions recommending it and, finally, when the State Federation of Labor decided to elect a legislative board it gave definite instructions for it to act in harmony with the representatives of the railway brotherhoods.

The failure of the boards to get anything from the Twenty-seventh Legislature was caused, principally, by friction and quarreling among themselves and sincere friends of the labor movement in both Houses advised them to cease their bickerings and unite as a compact body working for a common purpose or quit the field. They could never hope to accomplish anything while working apart and at cross purposes and if they wished to merit respect and receive consideration for the measures they advanced they must work together in perfect harmony.

In consequence of all this the legislative representatives of the five organizations, viz.: the O. R. C., B. of L. E., B. of L. F., B. of R. T., and State Federation of Labor, who were in Austin in January, 1903, on the assembling of the Twenty-eighth Legislature, held a meeting and after thoroughly reviewing the

situation agreed to form a joint board. They named it the Joint Labor Legislative Board of Texas, elected James A. Lawson of the B. R. T., Chairman; Joseph S. Myers of the B. L. F., Secretary; Ed. B. Willis of the O. R. C., Treasurer and Walton Peteet of the State Federation of Labor, Press Correspondent. R. J. McCool of the B. of L. E. was the fifth member of the Board. It was agreed that each member would abide the action of the whole on all matters of legislative policy. The members had numerous bills which had been referred to them by their respective boards and it was considered best to drop most of them and concentrate their efforts on a few preferred measures. The after results justified the wisdom of this policy as nearly every measure advanced by the Board passed the Legislature.

After the adjournment of the Twenty-eighth Legislature, the Joint Board issued a report of the work accomplished during the session from which we extract the following:

“The net result to labor of the session just closed is seven bills passed directly benefiting us, two bills aimed at labor killed in committee, and one measure believed to be inimical to our interest (the so-called Anti-Trust law) passed.

Following are the measures championed by labor which passed the Legislature:

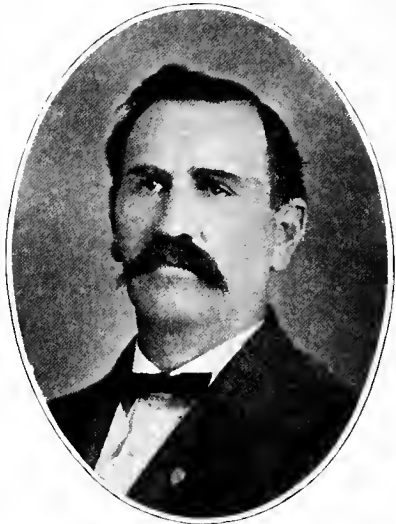
Child Labor law.

Sixteen hours continuous service law.

Siding and Switch Light bill (vetoed.)

Law against coercion and blacklisting for refusal to trade at company store or commissary.

Barber bill (vetoed.)



C. F. GOODRIDGE

Legislative Representative O. R. C., and present Chairman Joint Labor Legislative Board of Texas.

Law requiring two outlets or openings to all underground mines.

Street car vestibule law.

The measures successfully opposed were:

Bill requiring all persons suing for personal injuries to exhibit his or her person as often as required by opposing counsel.

Constitutional amendment to repeal exemption of wages from garnishment."

Calling attention to some of the labor measures passed at this session the joint report says:

"The first labor measure passed was the child labor bill, and if no other labor legislation had been secured at this session we feel that our efforts would not have been in vain. It is just cause for pride that organized labor of Texas made the cause of the little children of Texas their own and while social, religious and philanthropic societies were deploring the "white slavery in the cotton mills," it was left for the union men of the State to sacrifice time, money and effort to secure the passage of a law that would take the little children from the whirr and din and dust and heat of the factory and restore them to the school and the play ground."

Their report tells of the effort made by organizations of retail merchants and butchers to amend that section of the Constitution exempting current wages from garnishment and states that several large collecting agencies were behind them; that it was admitted by one of its promoters this amendment was but the forerunner of an amendment to change the homestead law, and that "There is little room for doubting that if union labor had not made the fight it did the amendment would have passed."

The report criticises Governor S. W. T. Lanham for vetoing the Siding and Switch Light bill and the Barber bill. In vetoing the Switch Light bill Governor Lanham was undoubtedly misled by the information furnished him by the State Railroad Commission to whom he had referred the matter for investigation and advisement. The Railroad Commission referred it to its expert engineer, one R. G. Thompson, who made a report upon which the Governor based his reasons for the veto. At the Twenty-ninth session the Switch Light bill was passed and

signed by Governor Lanham, who had learned, in the meantime that he had been misled by the Thompson report.

The Governor's reasons for vetoing the Barber bill were that it was unnecessary, paternalistic, interfered with the rights of citizens to engage in a harmless occupation, that it discouraged competition and concentrated extraordinary powers in the hands of three men forming the examining board.

Of the so-called Anti-Trust law passed at this session the report says: "In the opinion of many of the ablest lawyers in the United States it vitally affects labor organizations. The language used to define and declare illegal the capitalistic combinations which are oppressing the people is so broad and comprehensive as to apply to labor unions, and then the penalties intended to be imposed upon trusts are also imposed upon unions. * * * Several able lawyers in both Houses are of the opinion that the law will apply to us. In addition, we have the opinions of half a score of the ablest lawyers in Texas, and the general attorneys of the A. F. of L., the B. of L. E., the B. of L. F., the O. R. C., and the B. of R. T., to the same effect. Its authors, Messrs. Conally and Meachum and Attorney General Bell stoutly maintain that the law does not reach us, and this same claim was made by many who voted against the amendments offered by our friends in the House and Senate to make it clear we were not included. * * * Our defeat is due solely to the strong administration influence that was brought to bear on the members. * * * There is not an intelligent man connected with the administration who will deny the assertion that if the Governor had kept his hands off this bill, it would have been amended so as to make it clear that it does not apply to us. After the bill passed, we made an effort to have Governor Lanham submit to the special session the re-enactment of what is known as the "Labor law of 1899." (This law of 1899 has been previously mentioned in this history.) "This law was by implication repealed by the Anti-Trust law just passed. Public meetings were held throughout the State and countless petitions, resolutions and letters were sent to the Governor asking him to submit this law for re-enactment. The Governor said the law had not been repealed. We named him the many able lawyers who said the law had been repealed, and asked him to settle all doubt by permit-

ting the Legislature to re-enact the law. But he declined to do so." -The status of these laws remains the same to this date, but so far no action has been taken through the courts against a labor organization.

At this session a bill regulating railroad telegraphing, prepared at the instance of the Order of Railroad Telegraphers, was introduced in the House but too late to get it up for a vote. The telegraphers held a meeting in Austin and selected O. E. Petty to represent them during the remainder of the session. He acted with, and was assisted by, the Joint Board.

Some recommendations of the Board are:

"The work of the Joint Labor Legislative Board has convinced us that unity of action in legislative matters on the part of all labor bodies is absolutely essential to success. We therefore recommend that in the future all legislative representatives be instructed to co-operate with other labor representatives in the organization of a Joint Labor Legislative Board and abide the action of the Board on all matters affecting legislation. We also recommend a more active participation by members of organized labor in local and State politics, giving special attention to the election and instruction of members of the House and Senate. * * * In order to secure united and harmonious action we strongly recommend that all organizations so change their laws as to make it the duty of their legislative boards to meet biennially on the third Monday in April at some central point agreed upon by a majority of the legislative chairmen."

Their report further contained an exact copy of all bills championed by the Joint Board, together with a synopsis of the vote and attitude of every member of the House and Senate on them. It contained, also, a tabulated list of Senators and Representatives, showing district and county represented, and the occupation of each. This form of report has been permanently adopted and is found very convenient by the wage earners of the State as a handy reference during political campaigns.

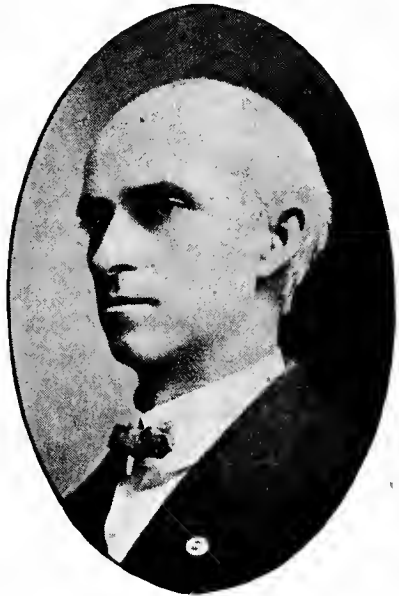
Imagine not O, gentle reader, that all of these laws secured by the Joint Board were given for the asking. On the contrary they were strenuously contested by the corporation lawyers, who formed a strong and influential lobby and had to be fought for at every stage of their progress. In fact the same story of opposition from the corporation lobby is handed out from every

session since the first legislative board began its work. At some sessions, depending on the nature of the legislation asked for by the representatives of labor, this opposition has been fierce, bitter, vigorous; at other times it was milder and less militant but it was always there and had to be met. The same old crowd with the same old lies, bluffs, buncombe, banquets, theatrical parties, free excursions, free passes and other inducements has been on hand at each session to more or less successfully hinder and obstruct the passage of protective and humanitarian laws. Were it not for them the way would be smooth and easy, but, because of them, our friends in the House and Senate, and, often in the Governor's office, are compelled to withstand a strong negative influence that would deny us the least portion of beneficial legislation.

In a letter addressed to the members of the Joint Board, the Hon. Gayle Talbot, representative from Wise county, pays them the following neat and deserved compliment:

"As a member of the Twenty-eighth Legislature I desire to say a few words in regard to the work done by Messrs. Peteet, Willis,

Myers, Lawson, McCool and Petty as representatives of organized labor during the present session of this body. Almost every measure advocated by these gentlemen has become a law for the reason that the merits of each have been placed before the House in such a manner as to appeal straight to the fairness and good judgment of our membership. Always alert and earnest, yet discreet and courteous, the representatives of labor have won the respect and confidence of all with whom they came



F. N. GRAVES

Chairman Legislative Committee Texas State Federation of Labor and present Vice-Chairman Joint Labor Legislative Board.

in contact, and it has been both pleasant and profitable to consult them on questions concerning the welfare of the laborers of our State. A more intelligent, conservative and effective set of gentlemen could not have been selected to fill the trying position in which these men have been placed."

FIRST JOINT CONVENTION.

Acting on the recommendation of the Joint Board the legislative representatives of the different organizations affiliated with it, by correspondence with the local lodges and divisions, arranged to have all of the legislative boards hold their regular biennial conventions in Fort Worth at the same time, April 4, 1904. Each board met separately, elected its officers, attended to its internal affairs, agreed on the bills it desired to have enacted and then, on the 6th, they all met in a joint convention.

Participating in this joint convention were the entire legislative boards of the B. L. E., O. R. C., B. L. F., B. R. T., O. R. T., and State Federation of Labor. Walton Peteet of the Federation of Labor was elected Chairman, and O. E. Petty of the O. R. T., Secretary. The action of the legislative representatives in forming the Joint Labor Legislative Board was approved and the Board highly commended for the excellent record it had made. After a thorough and complete discussion of what the system of operation and general policy of the Joint Board should be, the following resolutions were adopted:

"That it is the sense of this meeting that a Joint Labor Legislative Board be organized on a plan similar to the one formed during the Twenty-eighth Legislature and that the legislative representatives of the different organizations here represented be instructed to abide the action of a majority of said Joint Board on all matters pertaining to the passage of bills endorsed and referred by this meeting.

"That the Joint Board, to be organized, be instructed to ascertain by correspondence, personal inquiry, and otherwise, the attitude of candidates for the Legislature in as many counties and districts as possible, communicate such information to the working people in such communities for their guidance and, generally, to be active and diligent in securing the election of men who are fair and just to labor, the expense of gathering

and disseminating such information to be shared equally by the organizations here represented.

“The the Joint Board be instructed to confer with the officers of the Farmers’ Union of Texas to the end of securing their assistance and co-operation in carrying out our legislative program.”

Resolutions were also adopted thanking the friends of organized labor in the Legislature and expressing the hope that our appeals would be always such as to merit the approbation and support of all honest legislators. Thanking the Hon. Chris. Callan, representative from Bexar county and member of the Typographical Union, for earnest and unceasing effort while a member of the Twenty-seventh and Twenty-eighth Legislatures, in behalf of measures calculated to benefit the wage earners of the State.

A motion prevailed urging the delegates to become active and diligent in their home districts, in securing the election of men to legislative positions who were friendly to organized labor.

In order that the energies of the Joint Board might not be dissipated in the pursuit of a multitude of measures it was considered wisest and safest to concentrate on a few preferential bills, accordingly each organization was requested to present to the convention for endorsement one measure to which it desired to give preference. In compliance therewith the engineers presented the Derail and Switch Light bill; the conductors presented the bill to abolish the doctrine of Assumed Risk; the firemen presented the bill to create the office of Labor Commissioner; the trainmen presented the Full Crew bill; the telegraphers a bill to create a State Board of Examiners for railroad telegraphers; the Federation of Labor presented the Compulsory Education bill, all of which were approved and referred to the Joint Board.

Immediately after the adjournment of the convention the newly elected legislative representatives of the different legislative boards met and organized the Joint Board with the following officers and members: E. P. Curtis, O. R. C., Chairman; Joseph S. Myers, B. of L. F., Vice-Chairman; O. E. Petty, O. R. T., Secretary; C. D. Johnson, B. L. E., Treasurer; Walton Peteet, Federation of Labor; H. G. Wagner, B. R. T. It was agreed to have another meeting of the Joint Board at Aus-

tin, in May, when a plan of campaign would be outlined and the part the Board was to take in the coming primary elections decided upon. This meeting was held May 20, 1904, with the full Board present. A synopsis of the preferred legislation desired was prepared and printed in the form of a circular letter; after the brief explanation of each proposed bill a space was left for candidates to state what their sentiments were in regard to it and at the bottom a space for the candidate's signature. A supply of these circulars was printed and furnished to the local lodges, divisions and unions to be submitted by them to the candidates for legislative offices to fill out. In localities where there were no lodges or unions, members of the Joint Board mailed these circulars to the candidates. As a result of this method a large number of the members of the Twenty-ninth Legislature went to Austin pledged to support our measures.

Speaking of this feature of its work the Joint Board in its report says:

"We can not too strongly emphasize the importance of this branch of our work and we hope to have even more enthusiastic and intelligent co-operation of our members next year."

TWENTY-NINTH LEGISLATURE.

The Twenty-ninth Legislature convened January 10, 1905, and all members of the Joint Board were in attendance except O. E. Petty of the O. R. T., his organization being unable to stand the financial strain of maintaining a representative on the Joint Board, but did contribute its pro rata of the expenses of the Board. The Board took charge of the telegraphers' bill and tried to have it passed. H. G. Wagner of the B. R. T. was elected Secretary of the Board to succeed O. E. Petty.

At the close of the session the Board, in its report, gave the following summary of the results of its work:

Laws enacted, 4.

Bill to relieve railroad employes from assuming the risk of defective equipment and appliances.

Bill to require railroads to maintain signal lights on all main line switches at night, and provide derail switches on all main line sidings on which cars are left standing.

Bill making it unlawful to pay employes in checks or merchandise script.

Bill taxing out of existence the "ten-per-cent-a-month" money sharks who prey upon and blackmail workmen by means of assignment of future wages.

Measures successfully opposed, 5.

Bill to increase the poll tax.

Two so-called anti-conspiracy bills, the effect of which if passed, would have been to make all labor unions unlawful.

A compulsory arbitration bill fraught with grave danger to labor.

A stock report bill, which would have been exceedingly troublesome to locomotive engineers.

Measures advocated which failed to pass:

Telegraphers' bill.

Compulsory school attendance bill.

Mine bill.

Experience bill, relating to railway employes.

Full Crew bill, relating to railway service.

On the whole the Joint Board feels well satisfied with the results of this session's work. Every one of the laws passed are of great importance to the laboring men of Texas. The assumed risk bill alone would be ample compensation for all time, effort and expense of our work this year.

Representatives of associations hostile to union labor were in evidence about the capitol several times during the session and sought the passage of so-called anti-conspiracy laws, the effect of which would have been to make labor unions unlawful. The efforts of these enemies of labor were, however, successfully checkmated. There is no room for doubt that had it not been for the presence of the Joint Board in Austin more determined ef-



H. G. WAGNER

Present Chairman B. of R. T. Legislative Board and Secretary Joint Labor Legislative Board.

forts would have been made to slip through the Legislature laws inimical to the welfare of labor.

“The phenomenal growth of the Farmers’ Union of Texas and its potent influence in legislation is known to all who keep abreast of the times. This organization stands, like the labor unions, for clean politics, good laws and against corporation and money rule. We are under many obligations to them for valuable assistance rendered in our work.”

Considering the friendly attitude of the Twenty-ninth Legislature some might wonder why so many of the preferred measures of the Joint Board failed of passage. This can be explained by an unfortunate circumstance that occurred while these measures were still pending.

We will let the Joint Board’s report tell the story:

“The Board is called upon to chronicle one unfortunate incident of the session affecting our general welfare. The Farmers’ Union petitioned the Railroad Commission to reduce the freight rate on cotton. The corporate interests of the State were alarmed over the action of the State convention of the Farmers’ Union in sending representatives to Austin to guard their interests and instructing them to aid us wherever possible. The cotton rate hearing came just at the time when the corporation-dominated newspapers were hysterically trying to provoke antagonism between the Farmers’ Union and the Labor Unions.

“At this juncture several railroad companies sent out numerous letters and telegrams offering to pay the wages and expenses of employes in train service to get signatures to petitions opposing the cotton rate reduction and come to Austin and protest in person. The argument advanced by the companies was that the reduction of the cotton rate would endanger the wage scale of their employes.

“A number of divisions took such action and many employes signed petitions. This gave the corporation press and labor’s enemies over the State the opportunity to proclaim a ‘breach between the Farmers and the Union men.’ Everything possible was done by our enemies to make capital out of this incident and to use it to hamper and cripple our legislative work. The legislative representatives of the railway brotherhoods on the Joint Board strongly advised their or-

ganizations against taking such action and we are unanimously of this opinion still. At the very moment when those railroad employes were here aiding the railroad companies, the latter were exhausting every resource at their command to defeat pending legislation asked by, and for the protection of their employes."

Quite a number of the members of the Legislature were from the rural districts and in full sympathy with the Farmers' Union. They were friendly to the labor unions, too, until the date set for the cotton rate hearing, when a mob of railway employes appeared to protest against the reduction asked for by the farmers. After that date not a single measure of organized labor was passed.

Strange how men supposed to be intelligent and loyal to the principles of the organizations to which they belong can be buncoed in that fashion. " 'Twas ever thus,"—and ever will be. 'Tis said "a sucker is born every minute;" considering how easy the great mass of railway employes can be influenced to do foolish things one might imagine that all these "suckers" enter railroad service when they attain manhood.

Closing its report the Joint Board says:

"In conclusion, a word about the Joint Board. At the close of the second session of the Legislature since its establishment we can justly point with pride to the result of its work. More laws for the protection of labor have been passed than ever before in a like period, and during that time no legislation hostile to our interests has been enacted, with the possible exception of the Anti-trust law, and the effect of that is still a disputed question. Realizing all this, we appeal to our membership to still further strengthen and support the Joint Board in the future, for nothing would please our enemies so much as to bring about its dissolution."

At this session the railroad attorneys and lobbyists were particularly active in their opposition to the Joint Board, one of whose members declared: "that never in the history of the Texas Legislature had a legislative board been fought so hard by the railroad companies."

SECOND JOINT CONVENTION.

The second biennial joint convention of all the State legislative boards was held in Houston, April 12, 1906, the B. L. E., O. R. C., B. L. F., B. R. T. and State Federation of Labor being fully represented

Walton Peteet was elected Chairman and H. G. Wagner, Secretary. The B. L. E. presented the Electric Headlight bill as its preferred measure; the B. L. F. presented Labor Commission bill; the B. R. T. the Full Crew bill; the O. R. C. the Contract of Employment bill; the Federation of Labor presented the Mine bill.

A resolution was adopted thanking C. A. Graham of the O. R. C., J. T. Ward of the B. L. F., J. J. Elliott of the B. R. T., C. Callan and A. S. Crisp of the Typographical Union, who were members of the Twenty-ninth Legislature for valuable service to the cause of labor and great assistance rendered the Joint Board.

The resolutions adopted at the Ft. Worth, 1904, convention were re-enacted and, in addition, the following,—all of which are still in force having been re-enacted by the Joint Convention at Ft. Worth, April 17, 1908:

“Resolved, That we extend to the Joint Labor Legislative Board a hearty vote of thanks for able and efficient services. That we endorse and approve of its official acts. That we earnestly approve of its policy to steer clear of corporate influence and all entangling alliances that might impair its usefulness, and confining its activities to labor interests alone. We wish the same wise policy continued and trust that no member of any of the organizations here represented will, at any time, lend himself to our opponents in any effort to hinder its work or create discord.”

At the suggestion of the delegates who thought the matter of hours of rest for railway employes in train service could be adjusted through the General Managers' Association of Texas, the Joint Board was instructed to arrange a conference with the managers and try to persuade them to agree to settle the question by contract with their employes, but failing to secure such an agreement they were to have a bill drafted

and presented to the Legislature amending the Sixteen-Hour law.

On the evening of April 14 the Joint Board met and organized with the following officers and members: Walton Peteet, Texas Federation of Labor, Chairman; C. F. Goodridge, O. R. C., Vice-Chairman; H. G. Wagner, B. R. T., Secretary; C. D. Johnson, B. L. E., Treasurer; Joseph S. Myers, B. L. F. & E. Statistician.

Another meeting of the Board was held at Temple, April 29, 1906, for the purpose of preparing circulars to be submitted to candidates and arranging to take part in the ensuing primary elections. For the information of those who may be interested in the form of circular sent out by the Board we give the following sample:

“Dear Sir: The laboring men of Texas will have presented to the next Legislature several measures for the protection and safety of the people. The undersigned representatives of labor organizations in the district desire to obtain from you an expression of opinion on these measures, and learn what your attitude will be towards them if elected.

A bill providing for the health and safety of persons employed in and around mines, and requiring periodical inspection of mines to enforce compliance with the law.

A bill to provide for the safety of the public and employes of railroads in Texas, by requiring all railroads to equip all road locomotives running at night with electric headlights, or



C. D. JOHNSON.

Chairman B. of L. E. Legislative Board
and Treasurer of Joint Labor Legislative Board.

with headlights of equal candle power to electric headlights now in use.

A bill to prohibit railroad companies from operating trains with less than a sufficient crew to safely handle the same—requiring one engineer, one fireman, one conductor and one brakeman on all passenger trains, and two brakemen on all freight trains, and that all light engines running over the road shall have one engineer, one fireman and one conductor.

A law preventing corporations exacting private contracts from employes on entering their service, limiting the liability of such corporations by requiring notice to be given of claims for damages within unreasonable limits, and pleading failure of notice in bar of suit for damages.

A bill creating the office of Labor Commissioner, whose duty it shall be to collect and publish information relative to labor, similar to laws now in force in a large majority of the States of the Union.

Sign here..... ”

Later, in its report, the Joint Board says:

“A large supply of these questions was printed and copies furnished to each organization represented by the Joint Board to be by them presented to candidates for signature. It is gratifying to note the increased interest taken by our members in this feature of our work, and to this is due in large measure our success in securing legislation this year, as we have only one instance to record of a legislator repudiating his pledge—the case of Senator Kellie of the Beaumont district, who in writing promised his constituents before election to vote for the Mine Bill, and when he got to the Senate did all in his power to defeat it.

“The importance of questioning candidates before nomination cannot be too strongly emphasized. Labor is entitled to know how candidates for the Legislature stand on labor questions and this information cannot be gained in any other way than by asking direct questions. The day when labor can be satisfied with glittering generalities is past.”

DENIED AUDIENCE WITH GENERAL MANAGERS.

“Complying with instructions given it by the convention at Houston, the Joint Board met at Waco, August 2, 1906, the same day the General Managers’ Association of Texas was scheduled to meet. The Board met several of the Managers in the morning before they convened, informed them that the Board was in Waco, what its mission was and where it could be found. The Board waited patiently until 2 p. m., and having heard nothing a special messenger was sent with a letter asking if it was the intention of the Managers to meet the Board. In a reply from the president of the General Managers’ Association the Board was informed that the meeting of the Managers had adjourned and the members left town; that concerning the Hours of Rest Law all of the roads in Texas were living up to it, and it did not occur to the Managers there was any necessity for meeting the Board. Rather a cold rebuff, we take it, which the Managers have had good cause to regret since then, several of them expressing sorrow for the incident.

Under the circumstances, there was no other course for the Joint Board to pursue but to propose and have a measure enacted by the Legislature, which was done.

THIRTIETH LEGISLATURE.

In its report of the Thirtieth Session the Joint Board says of its progress and influence:

“It is a pleasure to be able to report four years after the Board was organized that the cause of labor has made a steady advance, and that today we are recognized as a substantial factor in legislation in Texas. By a wise and consistent policy of concerning ourselves only in matters that affect us, and of keeping free from all entangling alliances with special interests that would use us for advancing selfish ends, we have not only maintained but increased the respect of the Legislature and the public. As the friends of labor in the Legislature increase and the standing and influence of the Joint Board improves the effort to draw us into personal and political alliances that would ultimately destroy us also increases, and it

is only by the exercise of sound judgment and a wise discretion that we have been able to steer a straight course."

More laws beneficial to labor were passed by the Thirtieth Legislature than at any previous session in the history of Texas.

They were:

Mine Inspection Law.

Full Train Crew Law.

Electric Headlight Law.

Anti-Blacklist Law.

Employes Contract Law.

Hours of Rest Law, for Train Service Employes.

Eight Hour Law for Railroad Telegraphers.

Barbers' License and Inspection Law.

Submitting a Constitutional Amendment for the creation of a Bureau of Labor.

Extension of benefits of Uniform Text-Books to cities above 10,000 population, which were exempt under previous law.

Amendments to Anti-Free Pass Law, exempting railroad employes.

A law limiting the granting of injunctions.

For the first time in the history of the legislative movement the Joint Board was not required to oppose any measures hostile to labor, for none such were introduced. This is not because the foes of labor lacked desire, but having obtained a clear understanding of the sentiments of the Legislature and the strength and influence of labor's representatives, they realized the hopelessness of any effort.

Early in the session the Board learned that a firm of Galveston lawyers was attempting to raise a fund from the Employing Plumbers to be used in lobbying for a bill to destroy the Plumbers' Union, and made such timely use of the information that the attempt was abandoned.

It was mainly through the influence of the Joint Board that the Uniform Text-Book Law was passed, as it was hoped working men dwelling in the larger cities would profit by it through cheaper books and less frequent changes. The Board sought to have the law give preference to Texas made books, but failed.

An Anti-Lobby Law was enacted at this session which makes

it a crime to seek to influence a member of the Legislature by any other means than "appeals to his reason," and as the Joint Board has never used any other "arguments," the law does not affect them.

Having secured the passage of all the preferred measures referred to it by the Joint Convention, the Joint Board gave its support to several meritorious measures pending in both houses, which, unfortunately failed to pass and will come up again later. These were a bill to abolish city poll tax, an experience bill for railroad employes, a bill to protect dock workers handling defectively baled cotton, to prohibit discrimination by bonding companies and amending the Mechanics' Lien Law.

A constitutional amendment embodying the Initiative and Referendum was introduced and endorsed by the Board which failed to pass. The bill to create a Bureau of Labor was introduced, but not pressed, and the Board supported a bill backed by the Farmers' Union to submit a constitutional amendment creating a Department of Agriculture and a Bureau of Labor, which passed. When



JOSEPH S. MYERS

Chairman B. of L. F. and E. Legislative Board and present member Joint Labor Legislative Board.

this amendment was submitted to the people at a special election held in August 1907, it failed to get the necessary number of votes to give it effect.

Immediately after the adjournment of the Regular Session of the Thirtieth Legislature, Governor Campbell called a special session for the purpose of considering measures relating in the main to revenue, taxation and court reform. After closing up its business and compiling its report, the Joint Board

adjourned, and nearly all of its members had gone home when there was simultaneously introduced in the House and Senate a bill to regulate court procedure that would close the doors of the State courts to railroad employes running across the borders, who might be injured outside the State, to bring suit for damages. The law has always been that a suit for personal injuries could be brought wherever the responsible party could be found, and under this law employes who were injured across the border have often come to Texas to file suit, the laws and courts of Texas being more favorable than those of Mexico or the Territories on the north, which were extremely unfavorable.

The bill had passed the Senate before our friends became aware of its effect. The Joint Board was reconvened at once and efforts directed toward its defeat. The House bill was killed in committee and the Senate bill was allowed to die on the House calendar. Concerning this, the Joint Board's report says: "Inasmuch as the Legislature did not respond to the Governor's recommendations for judicial reform, it is very likely that this and other efforts of the same kind will be made at future sessions of the Legislature to destroy or weaken many of the laws now on the statute books affecting the rights of labor in the courts, and for that reason our organizations should be exceedingly watchful."

Apparently the railroad corporations of the State were much chagrined at the passage of the Hours of Rest Law for railway employes by the Regular Session, and immediately began talking of changing division terminals all over the State as necessary to comply with the law. This created a great deal of anxiety among the people interested, because, if carried out, it meant a serious depreciation of their property and the breaking up of homes of a large number of railway employes. The greatest excitement prevailed at Hillsboro, which was threatened with the immediate removal of the M., K. & T. terminals from there to some other point, and a committee was sent to Austin for the purpose of having the law amended or repealed, but, meeting no encouragement, they asked for an extension of ninety days before putting the law in effect, in order that certain changes might be made so as to keep the terminal. After a careful consideration of the matter and

conferring with a large number of railway employes from all over the State the Joint Board consented to an extension of time, provided no other feature of the bill was changed. This was agreed to, and a bill to extend the time from July 12th to October 12th was introduced in the Legislature. Fearing the original law might be tampered with, the Board watched the course of the extension bill very carefully. In the Senate an emergency clause was added which, in the opinion of good lawyers, had a tendency to jeopardize the original law, whereupon the Board insisted that the House bill take the place of the Senate bill, which was done. When this bill reached the Governor, he discovered that in its enrollment some interlineations had been made that would nullify the original law. The Governor very promptly refused to approve the bill, saying that he agreed to submit the matter to the Legislature only for the purpose of extending the time; that he was a friend of the sixteen hour law, and that he would not give his approval to any bill that would kill or cripple it. The bill was taken back to the enrolling room, and, after being corrected so as to conform to the law, passed by the Legislature, the Governor approved it. Commenting on this, the Board says: "To the friendship of Governor Campbell for this law, and his watchful care, we are indebted for the preservation of this very valuable law. And in this connection we desire to say that the working people of Texas owe a debt of gratitude they can never repay the Governor for the strong support he has given to all measures for their betterment. His office has been open at all times to members of our Board, and he has always been ready to meet and confer with us on matters of Legislation, and in countless ways has advised and assisted us. He has proven himself a true friend of the masses of the people, and has stood courageously by their cause in all matters."

While making his first campaign Governor Campbell ran on a platform of promises, every plank of which was a pledge to serve the best interests of the whole people of Texas. After election he fulfilled every one of those promises; honestly keeping faith with the people. During his first campaign his main support came from the working people and the farmers; he held their support for a second term, and in addition received the votes of all fair-minded citizens not influenced, coerced.

or controlled by selfish corporate interests, which fought him viciously, and was re-elected by the largest majority ever received by a Governor in this State.

Concluding its report of the Thirtieth Legislature, the Joint Board states:

“It should be a matter of pride to the union men of Texas that our Joint Labor Legislative Board is regarded as a model by our brothers in other States, and is being extensively copied and patterned after. Texas has been the first State in the Union in which all branches of labor have united on a legislative program and where representatives of union labor and union farmers have actively co-operated in aiding each other.”

They make the following recommendations:

“First. Closer unity and co-operation in the questioning of candidates. This work should be done by a joint committee representing all branches of labor in each county or district, and when questions have been answered concerted action should be taken to make the answers known to every union working man in the county and district. In no other way can we unite our forces to elect good men to the Legislature.

“Second. An active participation in primary elections. It is here that public officers are chosen and it is here that we must vote and use our influence.

“Third. That more joint and open meetings of all branches of labor be held for the discussion of our legislative work. No matter what union or brotherhood we are a member of, we have a common cause with the members of every organization in matters of legislation. To this end we recommend that provisions be made by each organization represented by the Joint Board to have its Board members attend as many local Joint meetings as possible to discuss and explain our legislative program.

“Fourth. That each organization represented in the Joint Board send a fraternal representative to every State meeting or convention of every organization represented and of the Farmers' Union, with a view to bring about even closer unity and co-operation.”

Strenuous efforts were made to create discord and bring about a dissolution of the Joint Board at this session. A well known railroad attorney offered a member of one of the railway or-

ganizations a large sum of money to go to Austin and bring about its disruption. The man he sought to bribe exposed the scheme.

Another railroad attorney, disgusted with their failure and the Joint Board's success, sarcastically asked a member of the Board if he was certain there was nothing the Board overlooked or forgot to ask for, because if there was he and his colleagues would help the Board get it.

CONVENTION OF 1908.

The regular biennial sessions of all the State legislative boards were held in Fort Worth from April 14 to 17, 1908. They were largely attended and much interest manifested. At the opening exercises, held in the City Hall on the evening of the 14th, his Excellency, Governor T. M. Campbell, was the guest of honor and delivered an able and stirring address. Several members of the Thirtieth Legislature were present and made brief addresses.

A feature of these conventions which has become a fixture, is the sending of a committee from each of the State Boards to all of the others to extend fraternal greetings and pledging friendship and co-operation. At the Fort Worth conventions these committees created much enthusiasm and strengthened the feeling of mutual good will already existing. When each of the organizations had finished their internal business and agreed on the legislation they preferred, the Joint Convention of all the Boards was held on the 17th. Walton Peteet was again re-elected chairman and H. G. Wagner again re-elected secretary. The Brotherhood of Railway Clerks, through its representative, H. G. Cox, asked permission to affiliate with the Joint Board, which was granted. The presentation of preferred measures resulted in the Federation of Labor presenting the so-called "Spider Bill" to regulate the handling of defectively baled cotton; the engineers presented no preferred bill, but took it on themselves to protect the anti-garnishee section of the State Constitution from alteration or repeal, and as a secondary measure a few amendments to the Anti-Pass Law in favor of railway employes; the O. R. C. presented a bill to create a Bureau of Labor or office of Labor Commissioner, and

as a secondary measure the Experience Bill, which had been considered by but not passed in the Twenty-ninth Legislature; the B. of L. F. and E. presented the Automatic Ash Pan Bill, which is an exact counterpart of the national law on the same subject; the B. R. T. presented the Safety Appliance Bill, which is also a copy of the national law; the Brotherhood of Railway Clerks presented an amendment to the Anti-Blacklist Law so as to require that an employe leaving the service of an employer be given a service letter stating in full the length of time in the service, in what capacities and the degree of satisfaction given in each occupation. By unanimous vote the compulsory education bill was made the preferred measure of the Joint Convention.

By motion Governor T. M. Campbell was thanked for friendship and valuable assistance rendered the Joint Board, as was, also, the Thirtieth Legislature for the many excellent laws passed beneficial to labor. The Joint Board was thanked for its splendid work; the resolutions adopted at Houston in 1906 were re-enacted, and by motion of Walton Peteet, seconded by W. Davis of the O. R. C., T. P. O'Rourke was instructed to write the history of the Labor Legislative Movement in Texas, under the supervision and at the expense of the Joint Board. President Neill of the Farmers' Union and members of the executive board were in attendance and held seats in the convention as fraternal delegates. President Neill addressed the convention, expressing his gratification at the fact that it was made possible for the farmers and union labor to meet under such happy and harmonious conditions, that we were getting to understand each other better, that the farmer would stand by and support us in all that was fair and just. A motion prevailed thanking Mr. Neill and the representatives of the Farmers' Union for their presence and promise of co-operation and expressing sympathy and support to the Farmers' Union. The Convention then adjourned.

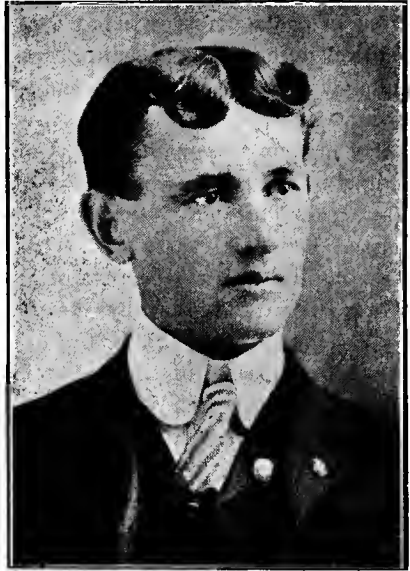
Judge N. A. Stedman, attorney for the principal railroads of Texas, claiming that he was the authorized representative of the General Managers' Association of Texas, requested a meeting with the Legislative Boards. Accordingly a meeting was arranged for and held in the city hall on the evening of the 15th. The Federation of Labor did not take part for the

reason that their presence might possibly cause some embarrassment. Judge Stedman made a neat address, in which he said it was the desire of the General Managers to establish and maintain friendly relations with the Joint Board and the various legislative boards, that they had no desire or inclination to disrupt or weaken the Boards but on the contrary wished to see them more efficient and influential, if that were possible. He advised closer working relationship between the employes and officials to the end that the companies' business might be made profitable and prosperous and that all might make united opposition to proposed drastic legislation that would seriously affect the welfare of the great railway interests with that of all those engaged in their service. No action of any kind resulted from this meeting.

The Joint Board met and organized at the close of the convention with the following officers and members: Walton Peteet, Federation of Labor, Chairman; C. F. Goodridge, O. R. C., Vice-Chairman; H. G. Wagner, B. R. T., Secretary; C. D. Johnson, B. L. E., Treasurer; Joseph S. Myers, B. L. F. and E., Statistician; H. G. Cox, Brotherhood of Railway Clerks.

Arrangements were made at the same time for printing the usual circulars and sending them to the various locals for use in the campaign.

The entire Joint Board attended the National convention of the Farmers' Union held at Fort Worth, September 2, 3, and 4, 1908, and, like Samuel Gompers, President of the American Federation of Labor, who was present, they were treated royally and given many privileges and courtesies.



H. G. COX

Chairman Legislative Committee Brotherhood of Railway Clerks, and present member Joint Labor Legislative Board.

THIRTY-FIRST LEGISLATURE.

The Joint Board met in Austin, January 11, 1909, one day prior to the convening of the Thirty-first Legislature; all affiliated organizations were represented except the Brotherhood of Railway Clerks, who were not able to bear the financial burden of keeping a representative at the capitol, but agreed to pay their pro rata of the incidental expenses of the Joint Board.

It being impossible for him to leave his employment on the editorial staff of the Fort Worth Record for the length of time necessary to attend the entire session of the Legislature, Walton Peteet resigned as chairman of the Joint Board and legislative representative of the State Federation of Labor, Frank N. Graves of Cleburne, Secretary of the State Federation of Labor, was chosen as its Legislative representative. The Joint Board elected C. F. Goodridge of the O. R. C., Chairman and F. N. Graves, Vice-Chairman.

The State Supreme Court having decided the Full Crew law, passed by the Thirtieth Legislature unconstitutional because of a defective caption the representative of the B. of R. T. concluded to take that matter up again as his preferred measure. The Board took charge of the preferred measure of the Railway Clerks.

Bills covering all matters under the control of the Board were prepared in proper form and, after the Legislature was organized, were placed in the hands of members of the House and Senate for introduction.

In addition to the preferred measures approved at Fort Worth a few secondary measures were prepared and presented, among them being an Experience Bill brought forward by the O. R. C., providing that a man must have had at least three years experience as locomotive fireman or engineer before being permitted to take charge of a locomotive in this State and that a man must have had at least two years experience as a brakeman or conductor before being permitted to assume the duties of a conductor. The B. R. T. took up its safety appliance bill as a secondary measure.

The Federation of Labor had as secondary measures an amendment to the Plumbers' law, to make it more effective and give better protection to journeymen plumbers, also an amendment

to the Mine Inspection law passed by the Thirtieth Legislature which had never been put in operation because the Legislature had failed to appropriate sufficient funds for salary and expenses of carrying on the work, the amendment is intended to rectify this deficiency.

The Board had a bill introduced amending the Sixteen-hour law to make it conform to the Federal Statute on the same subject.

The Brotherhood of Railway Carmen took a referendum vote of its membership in this State on the question of sending a representative to Austin and affiliating with the Joint Board, which resulted favorably and G. T. Johnson of Hillsboro was chosen legislative representative. He presented his credentials January 24, and was admitted to the Joint Board. He had as a preferred measure a bill requiring railroad companies to provide sheds for car repairers to work under when the weather conditions are so severe that they can not work out in the open.

GENERAL MANAGERS SEEK A CONFERENCE.

January 15, by request of the General Managers' Association of Texas, representatives of that body and grand officers of the train service organizations, viz.: the O. R. C., B. L. E., B. L. F. and E., and B. R. T., met in Fort Worth to discuss legislative matters and see if a plan of co-operation could not be arranged for whereby the legislative boards could be used to assist the railroad companies in opposing the passage of legislation detrimental to their interests. The grand officers informed the general managers that they had no jurisdiction over the legislative boards, these bodies being governed by the laws of their respective organizations and as long as they were working in compliance with the law could not be interfered with, that they could not dictate to the legislative boards to adopt this policy but they suggested that the general managers confer with the Joint Board about the matter. Accordingly a committee from the General Managers' Association went to Austin, hunted up the Joint Board and arranged for a conference, which was held at the Driskill Hotel the afternoon of Sunday, January 17. The general managers said their mission was one purely of good will and mutual co-operation, to establish a better understanding between the

employes and officials to the end that all might work together to check the tide of popular prejudice against the railroads.

The Chairman of the Joint Board stated that the Board was in no sense prejudiced against the general managers of the railroad companies and had no desire to injure their business or seek the enactment of laws that would inflict unnecessary burdens on them, that its efforts were directed to securing legislation that would protect wage earners from needless abuse and injustice and requiring the adoption of safety appliances and sanitary surroundings that would prevent them from being killed and injured unnecessarily, a humanitarian work in which they had heretofore met with the most bitter and persistent opposition from the representatives of the railroad companies. That while they could not consistently enter into a working alliance with the general managers on legislative matters as that would put a period to the usefulness of the Board, they were perfectly willing to clasp hands across "the bloody chasm" of the past and do all in their power to promote the era of good will now apparently beginning to dawn.

The proposed bills of the Joint Board were then taken up for the general managers' inspection and criticism. They approved of the Ashpan bill, the Safety Appliance bill, the amendment to the Blacklist law, the amendment to the Sixteen-hour law, and the Experience bill and promised that their attorneys would offer no opposition to their passage. They refused to approve the full crew bill prepared by the representative of the B. R. T., which was radically different from the old law, but proposed that if the old law, which had been declared unconstitutional was again taken up and a correct caption placed upon it they would approve it; this Mr. Wagner of the B. R. T. declined and the matter rested. Next day, Monday, meetings were again held in the afternoon and evening but no further progress was made.

February 3 the general managers returned to Austin and again met with the Joint Board and it was agreed that Mr. Wagner would withdraw his new Full Crew bill and substitute the old law as amended. The Car Shed bill of the Railway Carmen was then taken up and the managers asked to have action on it suspended until they could have a meeting of their Association in Houston on February 5, when they thought the matter could

be provided for without legislation. This request was granted, but nothing came of it; the bill was pushed by the Board and fought by railroad attorneys and officials as though their very lives depended on its defeat.

This conciliatory attitude is a new departure for the general managers and deserves to be commended and encouraged if we could be satisfied that they are sincere. Our past experiences have taught us to be cautious, however, and we can not afford to be too precipitate in accepting their advances and professions of disinterested friendship. Neither is it wise or good business policy to refuse to meet them half way when convinced of their honesty of purpose. Since 1889 when the first legislative board began to work for legislation in the interest of railway employes we have encountered the most vigorous and persistent opposition from the railroad companies and their representatives have tried by every means they could command to discourage and defeat the efforts of our legislative boards. They have tried to bluff and intimidate our legislative representatives even to the extent of dismissing them from the service, have sought to inject discord into our councils, even offering members of our organizations a money bribe to bring about the dissolution of the Joint Board. In view of all this we can not be blamed for a little hesitancy and caution in accepting their professions of friendship before they have done anything to prove their sincerity.

We want peace, we pray for peace and will make sacrifices to establish an era of peace, but we do not want to have that sentiment taken advantage of to lure us into a position where we will be made the thoughtless instruments of our own destruction.

We are not vindictive or intolerant, and when once convinced that our employers are in earnest in seeking our welfare as well as their own we will meet them with open hands.

“The olive branch is in our hands,
 The white flag floats above;
 Peace, peace pervades our myriad bands,
 And proud, forgiving love.
 But O, let not our foes forget,
 We're men as Christians, too,
 Prepared to do for Labor yet
 What Union men should do ”

A NEW HIGH WATER MARK.

The regular session of the Thirty-first Legislature adjourned *sine die* March 13, having worked strictly according to the Constitution limiting time, it was the shortest regular session held in Texas in many years. While the Joint Board rejoiced over the net results of its efforts during the Thirtieth Legislature the high water mark of laws sought and secured has been set still higher at the close of the 'Thirty-first. While true that organized labor got all it asked for from the Thirtieth and did not get all it asked for from the Thirty-first, yet the aggregate of labor laws enacted by the Thirty-first exceeds those enacted by the Thirtieth.

Of the bills prepared and presented by the Joint Board the following passed and are now the law :

Creating the office of Labor Commissioner.

Experience Bill for conductors and engineers.

Amendment to the Mine Inspection law.

Amendment to the Plumbers' law.

Amendment to the Anti-Blacklist law.

Amendment to the Hours of Rest law.

The Full Crew bill (corrected and re-enacted.)

Safety Appliance bill.

Automatic Ashpan bill.

Requiring the erection of sheds over repair tracks.

These were, strictly speaking, Joint Board measures. In addition the Board gave its support to and was mainly instrumental in having passed an amendment to the Mechanics' Lien Law, which requires those for whose benefit work is being done to withhold 10 per cent of the construction price to be a preferred lien in the interest of the labor employed. This amendment should be credited to the Joint Board although they did not originate it but it could have never passed without the support they gave it.

A bill was introduced by Representative Roger Byrne of Smithville prohibiting railroad companies from sending locomotives, cars and equipment out of the State to be overhauled and repaired which was supported by the Joint Board and passed.

The Joint Board boasted that it had to encounter no hostile legislation at the Thirtieth, it was not so favored at the Thirty-

first, as the Garnishee proposition was injected early in the session in the shape of a constitutional amendment to permit the garnishment of twenty per cent of current wages. This was backed by the Retail Merchants' Association and a flood of petitions asking its adoption was poured in by them and their friends from all portions of the State. The Joint Board was kept exceedingly busy for a couple of weeks in counteracting the Retail Merchants and checkmating their efforts and were finally successful in having the proposed amendment killed in committee. Three separate bills regulating the life and accident insurance business were introduced that, if enacted, would seriously interfere with the transaction of our railway brotherhood insurance business in this State. The Joint Board took the matter in hand and had the proposed law amended to exempt our insurance.

Thus, practically, the sum total of reward for their labor is twelve bills passed and two inimical measures killed, which is unquestionably a record for the organized wage earners of Texas to be proud of and should inspire them with sentiments of sincere gratitude for those who did the work as well as for

our friend, Governor T. M. Campbell, for counsel and assistance, and those members of the House and Senate who ably championed and supported our cause.

Two of the preferred measures of the Joint Board died in the Senate, after having passed the House, viz.: the Compulsory Education bill and the "Spider bill"—defectively baled cotton.

The Compulsory Education bill was endorsed by the Farmers' Union, the State School Teachers' Association and the Depart-



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ment of Education. It met with strong opposition and had a stormy passage through the House and was again fought over in the Committee on Education of the Senate from which it emerged with a favorable report but never came to a vote. The principle objection to it seemed to be the reluctance of many to force education on the "nigger," and in order to have such a law constitutional, he can not be omitted.

The bill drafted to regulate defectively baled cotton was in the nature of a liability bill, that is it gave workmen injured while handling defectively baled cotton the right to sue for damages, but when it came to the question of fixing the responsibility for the defectively baled cotton and designating the party from whom the injured workman could recover, there was such a diversity of opinion and so many interests were dragged in that a lot of valuable time was consumed in the House, where the bill originated. The question of what court should have jurisdiction in trying such suits also came in for a great deal of discussion. The bill finally passed the House and after a hard fight was reported favorably in the Senate where it would have undoubtedly passed on the last day before adjournment had it not been for the unfortunate circumstances incident to the expulsion of a Senator accused of slandering the Senate, which consumed all the time and caused the "Spider bill" to die an unexpected death.

THE PERSONAL EQUATION.

As the personal equation enters largely into the success or failure of every movement, the quality and caliber of the men placed at its head or selected to fill positions of trust affecting and influencing it for good or ill, the Joint Board has been peculiarly blessed in the splendid material furnished it. No better men could be chosen than those who served on it in the past and the present Board is the peer of any that has gone before. Organized labor in Texas can rest satisfied that its legislative interests are in safe hands and that everything consistent with good judgment, safe and sane principle, will be done to promote its welfare.

We have already given brief sketches of E. P. Curtis, James A. Lawson and Joseph S. Myers; we will now speak a few words of the others.

Walton Peteet, who has just resigned the chairmanship of the Joint Board, without intending any disparagement of the others, who are all fair minded and doubtless will concur in the estimate, was the best man so far identified with the legislative movement and his loss will be keenly felt. With an exceptionally brilliant and cultivated intellect he was possessed of a tireless energy and labored incessantly to advance the principles of organized labor and promote its welfare. He was equally adept with voice or pen to give expression to his thoughts. He was as unselfish as he was untiring and cared not whether reward or emolument awaited his efforts. He was respected and admired by legislators and State officials who often asked his advice on matters of legislation. He had the confidence and esteem of his co-workers and of the State Federation of Labor which elected him legislative representative every term since its legislative board was organized.

C. F. Goodridge, the present Chairman of the Joint Board is a member of the Order of Railway Conductors and has been practically identified with the legislative movement since 1895. He has always taken an active interest and has attended every union meeting held in the State and has been chosen delegate by his division on numerous occasions. He has a well balanced mind, is a man of strong convictions, fair, honest, and impartial. Of more than average intelligence he is well able to sustain any position he assumes by clear and lucid argument. He is thoroughly in earnest in his advocacy of labor interests and of sufficient stamina to stand by his cause regardless of personal considerations or hostile opposition.

Frank N. Graves, Vice-Chairman, was one of the pioneers in the formation of the State Federation of Labor having signed the call for the first meeting at which the Federation was organized. He has been an active member and has served as general Secretary the past four years. He is a worthy successor to Walton Peteet and of the right caliber to make a good record on the Board. He is well posted on the labor question and has the ability and command of language to make good use of his knowledge. He is quick, active, alert and has the courage to tackle any issue or proposition that confronts him. He is a printer and member of the Typographical Union.

H. G. Wagner, Secretary of the Board, is a practicing attorney

of good repute and Statewide acquaintance. Although he has not been in railway service for a number of years, he has kept up his membership in the Brotherhood of Railway Trainmen and is an earnest and efficient worker in that organization. Cool, conservative, of sound judgment, deliberate in action, yet persistent, steadfast in holding to a position he believes to be right, with the ability to, at all times, give intelligent expression to his convictions, makes him a safe and trustworthy representative of organized labor.

C. D. Johnson, Treasurer of the Joint Board, represents the Brotherhood of Locomotive Engineers and is now serving his third term. He has been an active factor in the legislative movement in Texas for a number of years and always a hard worker. He has held many offices of trust and responsibility in the B. of L. E., and is now the salaried Chairman for the Gulf, Colorado and Santa Fe Railroad. He is essentially a practical man, overflowing with good, hard, common sense and has the happy faculty of placing a point or proposition before any one in such a plain, handy manner that it is instantly understood. He is cool, conservative, firm and as Treasurer a hard, close-listed financier.

H. G. Cox, of the Brotherhood of Railway Clerks, although still a young man, has been in the railway service thirteen years. He is deeply interested in the progress of the Railway Clerks and works earnestly and persistently to promote their welfare. He is a keen student of the labor question and a strong but conservative advocate of organized labor. His policy is to be fair and impartial to the public, to the railroad corporations and to the employes.

G. T. Johnson of the Brotherhood of Railway Carmen, the latest addition to the Joint Board, is a resident of Hillsboro, but belongs to Dodge 86 of the Carmen at Waco, Texas. He has been an active member of his organization for eighteen years and has been general Chairman of its board of adjustment on the Missouri, Kansas and Texas Railroad for the past five years. He has gained plenty experience in active service and is possessed of sufficient native intelligence and good judgment to profit by and make good use of what he has learned. He will make a useful member of the Board.

· LIST OF LABOR LAWS ON THE STATUTES OF TEXAS.

In the Constitution we have the following provisions:

The Legislature shall not pass any local or special law regulating labor—that is, all such laws must be general, applying everywhere in the State to all persons coming within their provisions.

Exempting persons engaged in agricultural and mechanical pursuits from occupation tax.

Exempting from taxation two hundred and fifty dollars worth of household furniture in each family.

No current wages for personal services shall ever be subject to garnishment.

Commanding the Legislature to pass laws to protect laborers and artisans against failure of contractors and sub-contractors on public works and holding those for whose benefit the work is done responsible for the payment of wages.

Providing for a Mechanics' Lien Law.

To protect from forced sale a certain portion of the personal property of all heads of families and of unmarried adults, male and female.

Defining a homestead and exempting the same from forced sale for any debt but failure to pay purchase money.

All of these constitutional commands have been enacted into law.

LAWS PASSED BY THE LEGISLATURE.

1879.

Declaring that nine hours shall constitute a day's work in the different State departments.

A pernicious conspiracy law.

1885.

Prohibiting sailors from foreign vessels working on wharves or levees beyond the end of the vessel's tackle.

1887.

Providing that all persons in the employ of a railroad company shall be entitled to thirty days' notice before their wages can be reduced.

Providing against intimidation of employes by threats or violence.

1889.

To widen the scope of the Mechanics' Lien Law.

For the protection of railway employes in the collection of wages in amount less than fifty dollars.

1891.

Fellow Servant Law.

Bond Law—for conductors, agents, etc.

1893.

Fellow Servant Law to supercede law of 1891 which was found defective.

Prohibiting the employment of non-residents for police duty, commonly called the "Anti-Pinkerton Bill."

Declaring the first Monday in September (Labor Day) a legal holiday.

1895.

Voluntary Arbitration Law.

Permitting trade unions to take out charters and protecting their labels, trade marks, emblems, etc.

Amendment to Trust Law enacted at this session exempting labor organizations and repealing the pernicious conspiracy law of 1879.

Amendment improving Mechanics' Lien Law.

1897.

Extending the benefits of the Mechanics' Lien Law.

Exempting the proceeds of the sale of the homestead from attachment for six months after such sale.

Fellow Servant Law to supercede the law of 1893 which was found defective by the courts. This law is now in effect.

1899.

Legalizing trades unions and making it clear that the new Trust Law passed at this session did not apply to labor organizations.

1900.

To regulate the running of double headers, giving the Railroad Commission jurisdiction.

1901.

Anti-Blacklist Law. (No account.)

Interlocking Railroad Crossings Law.

Prohibiting the payment of wages in script.

1903.

Child Labor Law.

Hours of rest for railroad employes.

Against coercion and blacklisting for refusal to trade at company store or commissary.

Requiring two outlets to underground mines.

Street Car Vestibule Law.

1905.

Assumed Risk Law.

Derail and Switch Light Law.

Making it unlawful to pay employes in store orders or merchandise scrip.

Taxing out of existence the "ten-per-cent-a-month" money sharks.

1907.

Mine Inspection Law.

Electric Headlight Law.

Full Train Crew Law. (Declared unconstitutional.)

Anti-Blacklist Law.

Employes' Contract Law.

Amended Hours of Rest Law.

Eight Hour Law for Railroad Telegraphers.

Barbers' License and Inspection Law.

Extension of benefits of Uniform Text-Book Law.

Amendments to Anti-Free Pass Law.

Limiting the granting of Injunctions.

1909.

Creating the office of Labor Commissioner.

Experience Law, for Conductors and Engineers.

Full Train Crew Law. (Re-enacted).

Safety Appliance Law.

Automatic Ash-Pan Law.

Requiring the erection of sheds over repair tracks.

Amendment to Mine Inspection Law.

Amendment to Plumbers Law.

Amendment to Anti-Blacklist Law.

Amendment to Hours of Rest Law.

Amendment to Mechanics' Lien Law.

Prohibiting railroads from sending cars and engines out of the State for overhauling and repairs.

